



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by COMMISSIONER DUNNAM.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: VICE CHAIRMAN STEVEN EVANS, MEMBERS RICHARD TRUESDELL, BYRON GOYNES, LEO DAVENPORT, DAVID STEINMAN AND SAM DUNNAM

EXCUSED: CHAIRMAN GLENN TROWBRIDGE

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., FRED SOLIS – PLANNING & DEVELOPMENT DEPT., MARIO SUAREZ – PLANNING & DEVELOPMENT DEPT., BART ANDERSON – PUBLIC WORKS, RICK SCHRODER – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, YDOLEENA YTURRALDE– CITY CLERK'S OFFICE, CARMEL VIADO – CITY CLERK'S OFFICE



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: March 23, 2006

SUBJECT:

Approval of the minutes of the February 23, 2006 Planning Commission Meeting

MOTION:

TRUEDELL- APPROVED – Motion carried with TROWBRIDGE excused and EVANS and DAVENPORT abstaining because they were excused from the meeting of 2/23/2006

MINUTES:

There was no discussion.

(6:02)

1-51

MOTION:

TRUEDELL – Motion to HOLD IN ABEYANCE Item 16 [GPA-9127], Item 17 [ZON-11678], Item 18 [VAR-11679] and Item 19 [SDR-11680] to the 4/27/2006 Planning Commission Meeting – Motion Carried with DUNNAM voting NO and TROWBRIDGE excused

MOTION:

TRUEDELL – Motion to HOLD IN ABEYANCE Item 9 [RQR-11403], Item 32 [SDR-11497], Item 76 [SDR-11583], Item 77 [SDR-11676] and Item 80 [DIR-11779] to the 4/13/2006 Planning Commission Meeting; Item 57 [VAR-11943] and Item 58 [SUP-11589] to the 4/27/2006 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 22 [VAR-10781], Item 28 [VAR-11531], Item 48 [VAR-11727] and Item 66 [SUP-11708] – UNANIMOUS with TROWBRIDGE excused

MINUTES:

GARY LEOBOLD, Planning and Development Department, stated that the applicants for the following items requested the items be stricken, held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 9 [RQR-11403]	Abeyance to 4/13/2006 Planning Commission Meeting
Item 16 [GPA-9127]	Abeyance to 4/27/2006 Planning Commission Meeting
Item 17 [ZON-11678]	Abeyance to 4/27/2006 Planning Commission Meeting
Item 18 [VAR-11679]	Abeyance to 4/27/2006 Planning Commission Meeting
Item 19 [SDR-11680]	Abeyance to 4/27/2006 Planning Commission Meeting
Item 22 [VAR-10781]	WITHDRAWN WITHOUT PREJUDICE
Item 28 [VAR-11531]	WITHDRAWN WITHOUT PREJUDICE

PLANNING COMMISSION MEETING OF MARCH 23, 2006
DISCUSSION ITEMS

MINUTES – Continued:

Item 32 [SDR-11497]	Abeyance to 4/13/2006 Planning Commission Meeting
Item 48 [VAR-11727]	WITHDRAWN WITHOUT PREJUDICE
Item 57 [VAR-11943]	Abeyance to 4/27/2006 Planning Commission Meeting
Item 58 [SUP-11589]	Abeyance to 4/27/2006 Planning Commission Meeting
Item 66 [SUP-11708]	WITHDRAWN WITHOUT PREJUDICE
Item 76 [SDR-11583]	Abeyance to 4/13/2006 Planning Commission Meeting
Item 77 [SDR-11676]	Abeyance to 4/13/2006 Planning Commission Meeting
Item 80 [DIR-11779]	Abeyance to 4/13/2006 Planning Commission Meeting

MR. LEOBOLD stated that the applicant of Item 9 [RQR-11403] has requested an abeyance to the 4/13/2006 Planning Commission meeting. Staff normally would not support the abeyance for a Required Review but this abeyance would allow the item to be heard concurrently at the May 17, 2006 City Council meeting with a Review of Condition application that is in the process and therefore staff supported the request.

The applicant of Item 11 [RQR-11657] requested an abeyance for personal reasons but staff did not support the request, as a Required Review of this nature should be heard as scheduled.

MR. LEOBOLD stated that the applicant of Item 22 [VAR-10781] has redesigned this project and no longer needs a Variance, and therefore, requested the item be withdrawn without prejudice. Staff supported the request.

A redesign of the project pertaining to Item 28 [VAR-11531] has rendered the Variance unnecessary, and therefore, the applicant requested the item be withdrawn without prejudice. Staff supported the request.

The applicant of Item 32 [SDR-11497] has asked to abey the item to the 4/13/2006 Planning Commission meeting because he is redesigning the project. Staff supported the request.

Regarding Item 48 [VAR-11727], the applicant has requested the item be withdrawn without prejudice. MR. LEOBOLD supported the request and added that there be a note prohibiting development of the proposed beauty salon for that parcel.

Related items 57 [VAR-11943] and 58 [SUP-11589] have been requested to be held in abeyance to the 4/27/2006 Planning Commission meeting in order to conduct a neighborhood meeting, and staff supported the request.

MR. LEOBOLD stated that related Items 59 through 61 have been requested to be held in abeyance to the 4/27/2006 Planning Commission meeting because proper and complete representation could not attend the meeting. As these meetings are scheduled in advance, staff did not support the request.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
DISCUSSION ITEMS

MINUTES – Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT voiced concern about Items 59 through 61 not having proper representation. He cautioned the Commissioners of due process before proceeding with the recommendation of denial. MR. LEOBOLD stated that although there was no representation available, he had spoken with the applicant of the items who conveyed understanding of staff's recommendation.

COMMISSIONER TRUESDELL suggested allowing the items to be heard upon the order of the agenda at which time the recommended action could take place.

TREVOR HAYES, 300 South Fourth Street, appeared on behalf of the applicant for Items 59 through 61. He indicated that he would be able to represent the items although the presentation would not be as complete as it could be if it were held in abeyance. COMMISSIONER TRUESDELL determined that it would be best to hear the items in the order of the agenda and MR. HAYES agreed.

Pertaining to Item 66 [SUP-11708], the applicant did not wish to proceed with the application, and therefore, requested the item be withdrawn without prejudice. Staff supported the request.

The applicant of Item 76 [SDR-11583] requested the item be held in abeyance to the 4/13/2006 Planning Commission meeting in order to redesign the project. Staff supported the request.

MR. LEOBOLD stated that the applicant of Item 77 [SDR-11676] has requested to abey the item to the 4/13/2006 Planning Commission meeting to allow time to redesign the project. Staff supported the request.

MR. LEOBOLD announced that the applicant for Item 80 [DIR-1179] is hosting a neighborhood meeting and would like the item to be held in abeyance to the 4/13/2006 Planning Commission meeting. The letter of request indicated that the meeting would be held on Monday, March 27, 2006; however, at the applicant's request MR. LEOBOLD clarified that it would be held Friday, March 24, 2006 instead.

Related Item 16 [GPA-9127], Item 17 [ZON-11678], Item 18 [VAR-11679] and Item 19 [SDR-11680] were requested to be held in abeyance to the 4/13/2006 to allow for further redesign of the lots. MR. LEOBOLD noted that if this request were granted, it would be the fourth abeyance in addition to the one instance when it was tabled. He recommenced the items be heard or withdrawn and resubmitted.

COMMISSIONER DUNNAM requested a show of hands of those present regarding Items 16 through 19 and there was one present.

ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared on behalf of the

PLANNING COMMISSION MEETING OF MARCH 23, 2006
DISCUSSION ITEMS

MINUTES – Continued:

applicant for Items 16 through 19. She was unaware of staff's desire to hear the items. She stated that she contacted the neighbors to inform them of the applicant's request to hold the items in abeyance and noted that she has worked diligently with the Councilman's office. ATTORNEY KEETCH expressed confidence that she would be able to return before the Commissioners to present a site plan that is more compatible with the neighbors and that satisfies the Councilman's concerns. She requested that instead of abeying the items for 30 days, she would request that the items be held for two weeks so as to be heard by the Planning Commission on 4/13/2006.

MARGO WHEELER, Director of Planning and Development, stated that this would be the fourth abeyance request for this project. MS.WHEELER noted that this project has been redesigned several times and staff has reanalyzed the project each time as a result. At this time, the recommendation is to support a request to withdraw or table the item.

COMMISSIONER DUNNAM concurred with MS. WHEELER'S comments and expressed concern for prolonging this application in respect to concerned neighbors. In defense, ATTORNEY KEETCH noted that at least one abeyance was a result of staff's error. The most recent change warranted a renotification that was properly conducted.

COMMISSIONER STEINMAN expressed confusion for the recommendation and MS. WHEELER clarified the reasons for the numerous abeyances. Since the applicant has communicated to the neighbors about the request to hold the items in abeyance, it would not be appropriate to proceed. Staff's concern is that an abeyance for two weeks allows the revision of another plan, forcing staff to analyze the plans in a rush so that the application can be properly heard per the agenda. She suggested that the items be tabled to allow time for staff to properly review any revised plans.

COMMISSIONER DUNNAM agreed with the suggestion to table the items in order to renotify the public. He requested a copy of any revised plans as this application is of particular interest to him. MR. LEOBOLD advised that if the Commissioners wanted to renote these applications, the deadline to renote for the 4/13/2006 Planning Commission meeting had expired.

ATTORNEY KEETCH pleaded not to table the items and explained that many of the requests to hold the items in abeyance have been not been because of revisions to the plans but rather to determine whether or not the project is in the rural preservation neighborhood area or not. She suggested to hold the items in abeyance for 30 days to allow time to properly renote the area.

COMMISSIONER DUNNAM supported ATTORNEY KEETCH'S request to hold the items for 30 days to be heard at the 4/27/2006 Planning Commission meeting. VICE CHAIRMAN

PLANNING COMMISSION MEETING OF MARCH 23, 2006
DISCUSSION ITEMS

MINUTES – Continued:

EVANS commented that the Planning Commission meeting of 4/27/2006 already has a lengthy agenda and so suggested abeying the items to the 5/11/2006 Planning Commission meeting. ATTORNEY KEETCH respectfully requested that the items be held to the 4/27/2006 Planning Commission meeting.

COMMISSIONER GOYNES acknowledged the neighbor who was present in hopes that she may be allowed to express her opinion of the project. DEPUTY CITY ATTORNEY BRYAN SCOTT stated that if it were inconvenient for her to reappear, she is allowed to place written comments for the record in place of her absence. It would not be wise for her to speak on these items since the plans are subjected to change and her comments would no longer be relevant.

COMMISSIONER GOYNES advised the applicant to speak with all neighbors prior to the date of the hearing to allow them an opportunity to address their opinions through written comments if they are unavailable when the items are heard. DEPUTY CITY ATTORNEY SCOTT advised to abey the items to the 4/27/2006 meeting without requesting a time certain.

(6:02 – 6:25)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

VICE CHAIRMAN EVANS announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

VICE CHAIRMAN EVANS read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

VICE CHAIRMAN EVANS noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-11311 - TENTATIVE MAP - NORTH BUFFALO BUSINESS CENTRE - APPLICANT: LOCHSA ENGINEERING - OWNER: NORTH BUFFALO BUSINESS CENTRE LLC - Request for a Tentative Map FOR A ONE LOT COMMERCIAL SUBDIVISION on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue (APN 138-10-301-010), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office) Zone, Ward 4 (Brown).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – APPROVED subject to conditions Item 1 [TMP-11311], Item 2 [TMP-11447], Item 3 [TMP-11664], Item 4 [TMP-11690] and Item 5 [TMP-11703] – UNANIMOUS with TROWBRIDGE excused and DUNNAM abstaining from Item 5 [TMP-11703] because he was the engineer of record on the original application

This is Final Action

MINUTES:

There was no discussion.

(6:25 – 6:26)

1-784

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 1 – TMP-11311

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-5811), General Plan Amendment (GPA-5803), Review of Condition (ROC-7262), and Variance (VAR-5852).
3. Prior to the sale of any lots or units, the developer is required to adopt on behalf of the common interest community association and all members thereof, and record as a covenant on all applicable parcels, a plan for the maintenance of all infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to the common interest community, an individual property owner, or the City of Las Vegas, along with the proposed level of maintenance for privately maintained components. The agreement must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels concurrent with the recordation of the Covenants, Conditions and Restrictions for the subdivision.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:
 - I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 – foot wide dedicated public sewer easements.
 - II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 1 – TMP-11311

CONDITIONS – Continued:

- III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
6. Show all Sight Visibility Restriction Zones (SVRZ's) adjacent to public streets and include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as "Privately Maintained".
 7. Site development to comply with all applicable conditions of approval for ZON-5805, SDR-5811 and all other subsequent site-related actions.
 8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-11447 - TENTATIVE MAP - EMERSON - APPLICANT: WARMINGTON HOMES NEVADA - OWNER: WARMINGTON CLIFFS EDGE ASSOCIATES, LIMITED PARTNERSHIP - Request for a Tentative Map FOR A 220 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 20.9 acres adjacent to the southwest corner of Hualapai Way and Farm Road (APN 126-13-710-001), PD (Planned Development) Zone, Ward 6 (Ross).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions Item 1 [TMP-11311], Item 2 [TMP-11447], Item 3 [TMP-11664], Item 4 [TMP-11690] and Item 5 [TMP-11703] – UNANIMOUS with TROWBRIDGE excused and DUNNAM abstaining from Item 5 [TMP-11703] because he was the engineer of record on the original application

This is Final Action

MINUTES:

There was no discussion.

(6:25 – 6:26)

1-784

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 2 – TMP-11447

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for the Cliff's Edge Plan Development Standards.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. Prior to the sale of any lots or units, the developer is required to adopt on behalf of the common interest community association and all members thereof, and record as a covenant on all applicable parcels, a plan for the maintenance of all infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to the common interest community, an individual property owner, or the City of Las Vegas, along with the proposed level of maintenance for privately maintained components. The agreement must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels concurrent with the recordation of the Covenants, Conditions and Restrictions for the subdivision.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements must be executed by the property owner(s) of record prior to final approval of this application by City Council. The written agreements will allow the addition of vacated or other property previously outside the district boundary into the Providence Special Improvement District.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 2 – TMP-11447

CONDITIONS – Continued:

8. If not already constructed by the Master Developer, construct half street improvements on Hualapai Way, Farm Road, and Egan Crest Way, including appropriate overpaving (if legally able), adjacent to this site concurrent with development. In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
9. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way (if any) adjacent to this site concurrent with development of this site.
10. If not obtained at the time of development by the Master Developer, submit an Encroachment Agreement for all landscaping and private improvements (if any) in the public rights-of-way adjacent to this site.
11. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a.
12. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
13. Show and dimension the common lots and adjacent right-of-way on the Tentative Map(s) for this site as recorded by the Cliff's Edge parent map and include the recorder's information (subdivision name, book and page number).
14. Show all Sight Visibility Restriction Zones (SVRZ's) adjacent to public streets and include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as "Privately Maintained".
15. Coordinate with the Collections Systems Planning Section of the Department of Public Works to determine the appropriate connection point for public sewer.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 2 – TMP-11447

CONDITIONS – Continued :

16. Private streets must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association and shall be designed to meet private street standards.
17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
19. Site development to comply with all applicable conditions of approval for previous zoning actions, Master Drainage Studies, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement and all other applicable site--related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-11664 - TENTATIVE MAP - CHEYENNE-CAMPBELL – PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SAN GREGARIO LLC, ET AL - Request for a Tentative Map FOR A 55-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 7.80 acres at 9167, 9092, and 9040 West Cheyenne Avenue (APNs 138-08-401-008, 009 and 013), U (Undeveloped) Zone [ML (Medium-Low Density Residential) Master Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone], Ward 4 (Brown).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

4. Location Map
5. Conditions For This Application
6. Staff Report

MOTION:

TRUESDELL – APPROVED subject to conditions Item 1 [TMP-11311], Item 2 [TMP-11447], Item 3 [TMP-11664], Item 4 [TMP-11690] and Item 5 [TMP-11703] – UNANIMOUS with TROWBRIDGE excused and DUNNAM abstaining from Item 5 [TMP-11703] because he was the engineer of record on the original application

This is Final Action

MINUTES:

There was no discussion.

(6:25 – 6:26)

1-784

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 3 – TMP-11664

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-10769).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Grant an appropriate public sewer easement along the north side of Lots 49 and 50. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 3 – TMP-11664

CONDITIONS – Conditions:

Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

8. Show all Sight Visibility Restriction Zones (SVRZ's) adjacent to public streets and include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as "Privately Maintained".
9. Site development to comply with all applicable conditions of approval for ZON-10766, Site Development Plan Review SDR-10769 and all other subsequent site-related actions.
10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

TMP-11690 - TENTATIVE MAP - ANN 17 - APPLICANT: PN II, INC. - OWNER: VALENTE DEVELOPMENT, LLC, ET AL - Request for a Tentative Map FOR A 78-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 18.66 acres at the southwest corner of Ann Road and Rebecca Road (APNs 125-35-101-003, 004, 006, 008; and 125-35-103-005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre) Zone, Ward 6 (Ross).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – APPROVED subject to conditions Item 1 [TMP-11311], Item 2 [TMP-11447], Item 3 [TMP-11664], Item 4 [TMP-11690] and Item 5 [TMP-11703] – **UNANIMOUS** with TROWBRIDGE excused and DUNNAM abstaining from Item 5 [TMP-11703] because he was the engineer of record on the original application

This is Final Action

MINUTES:

There was no discussion.

(6:25 – 6:26)

1-784

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 4 – TMP-11690

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-9142).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. A Petition of Vacation, such as VAC-9540, shall record prior to the recordation of a Final Map for this site abutting or overlying the area to be vacated.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 4 – TMP-11690

CONDITIONS – Continued:

8. Grant an appropriate public sewer easement between Lots 71 and 72, extending across Common Lot “F” and extend public sewer to the southwestern edge of this site to Parcel #125 35 103 004 at a depth and location acceptable to the City Engineer concurrent with development of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
9. The Final Map for this site shall show a private access easement across that portion of the open space between the existing gate for APN# 125 35 103 002 and Moonlight Garden Street, in favor of that parcel. The easement shall be surfaced with an all weather vehicle accessible surface.
10. Show all Sight Visibility Restriction Zones (SVRZ’s) adjacent to public streets and include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as “Privately Maintained”.
11. Site development to comply with all applicable conditions of approval for ZON-9141, Site Development Plan Review SDR 9142 and all other subsequent site-related actions.
12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

TMP-11703 - TENTATIVE MAP - RANCHO PARK DEVELOPMENT - APPLICANT: PAGEANTRY DEVELOPMENT COMPANY - OWNER: CORONADO RANCHO, LLC, ET AL - Request for a Tentative Map FOR A 513-UNIT CONDOMINIUM SUBDIVISION on 33.70 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road (APN 139-18-410-006, 007 and 008), C-M (Commercial/Industrial) Zone under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units Per Acre) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – APPROVED subject to conditions Item 1 [TMP-11311], Item 2 [TMP-11447], Item 3 [TMP-11664], Item 4 [TMP-11690] and Item 5 [TMP-11703] – **UNANIMOUS** with **TROWBRIDGE** excused and **DUNNAM** abstaining from Item 5 [TMP-11703] because he was the engineer of record on the original application

This is Final Action

MINUTES:

There was no discussion.

(6:25 – 6:26)

1-784

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 5 – TMP-11703

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (ZON-10803) and Site Development Plan Review (SDR-10806).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. This site shall be responsible for the relocation and abandonment or vacation of all utilities and utility easements in conflict with this site prior to the approval of any construction drawings or the recordation of a Final Map for this site, whichever may occur first.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 5 – TMP-11703

CONDITIONS – Continued:

8. Show all Sight Visibility Restriction Zones (SVRZ's) adjacent to public streets and include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as "Privately Maintained".
9. Provide Traffic Signal Chord Easement at the corners of the entrance to this site opposite the North Las Vegas Airport entrance, unless allowed otherwise by the City Traffic Engineer.
10. Site development to comply with all applicable conditions of approval for ZON-10803 and all other subsequent site-related actions.
11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TABLED - RENOTIFICATION - WVR-11202 - WAIVER - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: UNLIMITED HOLDINGS, LLC. - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 190.92 AND 194.26 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM OFFSET DISTANCE SEPARATION REQUIRED AND A WAIVER OF TITLE 18.12.130 TO ALLOW TWO THREE-POINT TURN AROUND (HAMMER HEAD) AREAS WHERE A CUL-DE-SAC TURN AROUND IS THE MINIMUM REQUIRED on 5.0 acres at the southeast corner of Torrey Pines Drive and Horse Drive (APNs 125-11-701-004 through 007), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 6 (Ross).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the Code, or condition changes by the applicant or staff. All public hearings will be opened at one

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 6 – WVR-11202

MINUTES – Continued:

time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 6 [WVR-11202], Item 7 [TMP-11684], Item 10 [RQR-11565], Item 13 [SNC-11557] and Item 14 [VAC-11581].

TOM McGOWAN, Las Vegas resident, requested that Item 12 [MSH-11632] and Item 15 [VAC-11633] be heard separately from One Motion/One Vote so that he could submit his public comments pertaining to those two items.

WES MILES concurred with the request to pull Item 15 [VAC-11633] from One Motion/One Vote.

GARY LEOBOLD, Planning and Development Department, stated that the Planning Department has letters pertaining to each item indicating agreement to all conditions with the exception to Item 11 [RQR-11657] that will be heard according to the agenda. He noted that Conditions 7 of Item 15 [VAC-11633] would need to be deleted because it is redundant.

COMMISSIONER DAVENPORT indicated that he is in disagreement with the application of Item 8 [RQR-11402] and has voted against it in the past; therefore, to remain consistent, he wished to vote against the item again. DEPUTY CITY ATTORNEY BRYAN SCOTT suggested that Item 8 [RQR-11402] be voted separately and the Commissioners agreed.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 6 [WVR-11202], Item 7 [TMP-11684], Item 10 [RQR-11565], Item 13 [SNC-11557] and Item 14 [VAC-11581].

(6:26 – 6:31)

1-850

CONDITIONS:

Planning and Development

1. This Waiver shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
2. A Rezoning (ZON-10539) application from R-E (Residence Estates) to R-PD2 (Residential Planned Development - 2 Units per Acre) and a Site Development Plan Review (SDR-10540) application approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TMP-11684 - TENTATIVE MAP - TORREY PINES & HORSE SOUTH - APPLICANT: TANEY ENGINEERING - OWNER: UNLIMITED HOLDINGS, INC. - Request for a Tentative Map FOR A EIGHT LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 5.0 acres at the southeast corner of Horse Drive and Torrey Pines Drive (APNs 125-11-701-004 through 007), R-E (Residence Estates) Zones under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone, Ward 6 (Ross).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

This is Final Action

MINUTES:

VICE CHAIRMAN EVANS explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the Code, or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 7 – TMP-11684

MINUTES – Continued:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 6 [WVR-11202], Item 7 [TMP-11684], Item 10 [RQR-11565], Item 13 [SNC-11557] and Item 14 [VAC-11581].

TOM McGOWAN, Las Vegas resident, requested that Item 12 [MSH-11632] and Item 15 [VAC-11633] be heard separately from One Motion/One Vote so that he could submit his public comments pertaining to those two items.

WES MILES concurred with the request to pull Item 15 [VAC-11633] from One Motion/One Vote.

GARY LEOBOLD, Planning and Development Department, stated that the Planning Department has letters pertaining to each item indicating agreement to all conditions with the exception to Item 11 [RQR-11657] that will be heard according to the agenda. He noted that Conditions 7 of Item 15 [VAC-11633] would need to be deleted because it is redundant.

COMMISSIONER DAVENPORT indicated that he is in disagreement with the application of Item 8 [RQR-11402] and has voted against it in the past; therefore, to remain consistent, he wished to vote against the item again. DEPUTY CITY ATTORNEY BRYAN SCOTT suggested that Item 8 [RQR-11402] be voted separately and the Commissioners agreed.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 6 [WVR-11202], Item 7 [TMP-11684], Item 10 [RQR-11565], Item 13 [SNC-11557] and Item 14 [VAC-11581].

(6:26 – 6:31)

1-850

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-10540) and Rezoning (ZON-10539).
3. Street names must be provided in accordance with the City's Street Naming Regulations.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 7 – TMP-11684

CONDITIONS – Continued:

4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions (“CC&R”), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements (“DPMR”) as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. The basic level to be defined as removal of debris surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. The 15 foot equestrian trail easement shall be shown as a “Non-residential Common Lot to be conveyed to the City of Las Vegas”.
8. Show all Sight Visibility Restriction Zones (SVRZ’s) adjacent to public streets and include the following note: “No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 7 – TMP-11684

CONDITIONS – Continued:

- curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as “Privately Maintained”.
9. Site development to comply with all applicable conditions of approval for ZON-10539 and all other subsequent site-related actions.
 10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.
 11. The Final Map for this site shall show the public sewer and all other utilities located within a common lot with the appropriate easements between the two “T” cul-de-sacs.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-11402 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT/OWNER: RIVERPARK IV, LLC - Required Two-Year Review of an approved Special Use Permit (SUP-3115) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6122 West Sahara Avenue (APN 163-02-802-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Action Letter for SUP-3115

MOTION:

DUNNAM – DENIED due to a tie vote – Motion failed with DAVENPORT, STEINMAN and TRUESDELL voting NO and TROWBRIDGE excused

To be heard by the City Council on 4/19/2006 with NO recommendation

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that the billboard was built in 2004 and is compatible with the area. A recent inspection indicated that the sign is in compliance and well maintained. He recommended another review for the use in two years.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 8 – RQR-11402

MINUTES – Continued:

Under One Motion/One Vote COMMISSIONER DAVENPORT indicated that he is in disagreement with the application of Item 8 [RQR-11402] and voted against it in the past; therefore, to remain consistent, he wished to vote against the item again.

COMMISSIONER TRUESDELL stated that previously, when this billboard application was the before Commissioners, he too voted against the item; therefore, he would remain consistent with his vote.

After no discussion and upon a request for a motion, VICE CHAIRMAN EVANS declared the Public Hearing closed,

(6:26 – 6:31/6:31 – 6:33)

1-850/1-1010

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

RQR-11403 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC - Required One Year Review of an approved One Year Required Review (RQR-5683) WHICH APPROVED EIGHT EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS on property bounded by U.S.-95, I-15 and Grand Central Parkway (APNs 139-33-610-014; 139-27-410-005; 139-27-410-008; 139-33-511-004 and 005), PD (Planned Development) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the April 27, 2006 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Action Letter for RQR-5683
5. Submitted after final agenda – Abeyance requests by Clear Channel and Lionel Sawyer & Collins

MOTION:

TRUEDELL – Motion to **HOLD IN ABEYANCE** Item 9 [RQR-11403], Item 32 [SDR-11497], Item 76 [SDR-11583], Item 77 [SDR-11676] and Item 80 [DIR-11779] to the 4/13/2006 Planning Commission Meeting; Item 57 [VAR-11943] and Item 58 [SUP-11589] to the 4/27/2006 Planning Commission Meeting; **WITHDRAW WITHOUT PREJUDICE** Item 22 [VAR-10781], Item 28 [VAR-11531], Item 48 [VAR-11727] and Item 66 [SUP-11708] – **UNANIMOUS** with **TROWBRIDGE** excused

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 9 – RQR-11403

MINUTES:

MR. LEOBOLD stated that the applicant of Item 9 [RQR-11403] has requested an abeyance to the 4/13/2006 Planning Commission meeting. Staff normally would not support the abeyance for a Required Review but this abeyance would allow the item to be heard concurrently at the May 17, 2006 City Council meeting with a Review of Condition application that is in the process and therefore staff supported the request.

(6:02 – 6:25)

1-70

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-11565 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: NEVADA RECYCLING CORPORATION -
Required Two-Year Review of an approved Special Use Permit (SUP-3285) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at the southeast corner of Highland Drive and Western Avenue (APN 162-04-703-001), M (Industrial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Action Letter for SUP-3285

MOTION:

TRUESEL – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the Code, or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 10 – RQR-11565

MINUTES – Continued:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 6 [WVR-11202], Item 7 [TMP-11684], Item 10 [RQR-11565], Item 13 [SNC-11557] and Item 14 [VAC-11581].

TOM McGOWAN, Las Vegas resident, requested that Item 12 [MSH-11632] and Item 15 [VAC-11633] be heard separately from One Motion/One Vote so that he could submit his public comments pertaining to those two items.

WES MILES concurred with the request to pull Item 15 [VAC-11633] from One Motion/One Vote.

GARY LEOBOLD, Planning and Development Department, stated that the Planning Department has letters pertaining to each item indicating agreement to all conditions with the exception to Item 11 [RQR-11657] that will be heard according to the agenda. He noted that Conditions 7 of Item 15 [VAC-11633] would need to be deleted because it is redundant.

COMMISSIONER DAVENPORT indicated that he is in disagreement with the application of Item 8 [RQR-11402] and has voted against it in the past; therefore, to remain consistent, he wished to vote against the item again. DEPUTY CITY ATTORNEY BRYAN SCOTT suggested that Item 8 [RQR-11402] be voted separately and the Commissioners agreed.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 6 [WVR-11202], Item 7 [TMP-11684], Item 10 [RQR-11565], Item 13 [SNC-11557] and Item 14 [VAC-11581].

(6:26 – 6:31)

1-850

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in five (5) years, at which time the City Council may require that the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 10 – RQR-11565

CONDITIONS – Continued:

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-11657 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: DESERT DODGE, INC. - OWNER: DOUGLAS B. KAYS - Required One-Year Review of an approved Special Use Permit (SUP-2859) FOR AUTO DEALER INVENTORY STORAGE at 1717 South Decatur Boulevard (APN 162-06-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Action Letter for SUP-2859

MOTION:

DAVENPORT – APPROVED subject to conditions – Motion carried with GOYNES voting NO and TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that this is the second review pertaining to the storage use, which began in 2003. He indicated that the site complies to all conditions for the use and has not encountered Code Enforcement complaints since the use began. The applicant has been informed of the need to provide landscape on a portion of the land adjacent to Oakey Boulevard that has not been completed.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 11 – RQR-11657

MINUTES – Continued:

This review would expire December 17, 2006 and no further reviews would be necessary. He recommended approval of the review. If the applicant wished to review the limitation of the applicant, MR. LEOBOLD stated that they would need to address that in a Review of Condition as a separate request.

RICH KANSKY, Service Manager of Desert Dodge, expressed understanding for the need to apply for a Review of Condition. MARGO WHEELER, Director of Planning and Development, advised MR. KANSKY to apply for that application during normal business hours at Planning and Development Department. MR. KANSKY acknowledged understanding of his obligation.

COMMISSIONER DAVENPORT pointed out that landscaping was provided by the applicant but MR. LEOBOLD replied that the landscaping was not maintained and has died. COMMISSIONER DAVEPORT expressed disappointment since the applicant has not complied with previous conditions of approval. He suggested abeying the item so that the applicant can properly landscape the area in question. VICE CHAIRMAN EVANS opted to instead mandate those conditions at this time again and MS. WHEELER confirmed that the condition addressing the landscape issue is part of this application and it would be best to enforce those.

COMMISSIONER TRUESDELL advised that the applicant provide live trees prior to the application being heard at Council.

TOM McGOWAN, Las Vegas resident, stated that if the vehicles to be sold are American made, he would support the application.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(6:33 – 6:39)

1-1078

CONDITIONS:

Planning and Development

1. There shall be no more reviews of the Auto Dealer Inventory Storage use at this location. Special Use Permit SUP-2859 shall expire on 12/17/06. The premises shall therefore be vacated on or before 12/18/06.
2. Conformance to the conditions of approval of SUP-2859, including the planting of 24-inch Aleppo Pine trees within the existing concrete planters along Oakey Boulevard from the east property line to the first parking lot entry west. Failure to comply will result in Code Enforcement action.
3. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

MSH-11632 - MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to amend the Master Plan of Streets and Highways TO ADD THIRD STREET BETWEEN COLORADO AVENUE AND COOLIDGE AVENUE AND TO INCLUDE THE CASINO CENTER/THIRD STREET CONNECTOR, AS A SECONDARY COLLECTOR 80-FOOT WIDE RIGHT-OF-WAY, Ward 1 (Tarkanian).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting - written comments by Tom McGowan

MOTION:

DUNNAM – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused and TRUESELLE abstaining because the extension runs adjacent to a property in which he has an interest

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

JORGE CERVANTES, Public Works Department, stated this amendment would add the section of Third Street from Coolidge Avenue to Colorado to the plan which would realign the connection of the corridor. This project is in conjunction with a project that the City and the

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 12 – MSH-11632

MINUTES – Continued:

Regional Transportation Commission have been working on to provide a bus rapid transit station to service the downtown area. This would provide a route from Sahara Avenue to the Downtown area along this alignment and eventually down to the Union Park area to service the Redevelopment area.

TOM McGOWAN, Las Vegas resident of Ward 1, requested detail of the discussion and a map of the realignment from the Casino Center/Third Street connector and the Vacation of Casino Center Boulevard between Charleston Boulevard and Coolidge Avenue. He questioned what the City has done to ensure the continuation of the 105 CAT bus service. MR. McGOWAN requested the names of those responsible for the lack of proactive planning and development, especially in Ward 1.

COMMISSIONER GOYNES noted his knowledge and affiliation with the CAT bus system in hopes to validate his response to the questions asked; however, he did not believe that his affiliation would require him to abstain from voting on the matter. COMMISSIONER GOYNES stated that Route 105 does service the area in question. He stated that this amendment would support all development projected for the Downtown area.

VICE CHAIRMAN EVANS declared the Public Hearing open.

(6:39 – 6:45)

1-1299

CONDITIONS:

Public Works Department

1. The Department of Public Works is empowered to modify this application, if necessary, for technical concerns or other related review actions provided current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways is satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SNC-11557 - STREET NAME CHANGE - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION COMPANY - OWNER: SPINNAKER HOMES V, LLC - Request for a Street Name Change FROM: ZEUS COURT TO: SHUMARD OAK COURT, adjacent to the southwest corner of Kentwell Avenue and Tropicair Street, Ward 6 (Ross).

SET DATE: 04/05/06

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the Code, or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 13 – SNC-11557

MINUTES – Continued:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 6 [WVR-11202], Item 7 [TMP-11684], Item 10 [RQR-11565], Item 13 [SNC-11557] and Item 14 [VAC-11581].

TOM McGOWAN, Las Vegas resident, requested that Item 12 [MSH-11632] and Item 15 [VAC-11633] be heard separately from One Motion/One Vote so that he could submit his public comments pertaining to those two items.

WES MILES concurred with the request to pull Item 15 [VAC-11633] from One Motion/One Vote.

GARY LEOBOLD, Planning and Development Department, stated that the Planning Department has letters pertaining to each item indicating agreement to all conditions with the exception to Item 11 [RQR-11657] that will be heard according to the agenda. He noted that Conditions 7 of Item 15 [VAC-11633] would need to be deleted because it is redundant.

COMMISSIONER DAVENPORT indicated that he is in disagreement with the application of Item 8 [RQR-11402] and has voted against it in the past; therefore, to remain consistent, he wished to vote against the item again. DEPUTY CITY ATTORNEY BRYAN SCOTT suggested that Item 8 [RQR-11402] be voted separately and the Commissioners agreed.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 6 [WVR-11202], Item 7 [TMP-11684], Item 10 [RQR-11565], Item 13 [SNC-11557] and Item 14 [VAC-11581].

(6:26 – 6:31)

1-850

CONDITIONS:

Planning and Development

1. The applicant shall be responsible for all costs related to this Street Name Change including signage and installation.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-11581 - VACATION - PUBLIC HEARING - APPLICANT: WARMINGTON HOMES NEVADA - OWNER: WARMINGTON CLIFFS EDGE ASSOCIATES, LP -
Petition to Vacate a U.S. Government Patent Easement and a 30-foot Bureau of Land Management Right-of-Way Grant generally located at the southeast corner of Farm Road and Egan Crest Drive, Ward 6 (Ross).

SET DATE: 04/05/06

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESELL – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the Code, or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 14 – VAC-11581

MINUTES – Continued:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 6 [WVR-11202], Item 7 [TMP-11684], Item 10 [RQR-11565], Item 13 [SNC-11557] and Item 14 [VAC-11581].

TOM McGOWAN, Las Vegas resident, requested that Item 12 [MSH-11632] and Item 15 [VAC-11633] be heard separately from One Motion/One Vote so that he could submit his public comments pertaining to those two items.

WES MILES concurred with the request to pull Item 15 [VAC-11633] from One Motion/One Vote.

GARY LEOBOLD, Planning and Development Department, stated that the Planning Department has letters pertaining to each item indicating agreement to all conditions with the exception to Item 11 [RQR-11657] that will be heard according to the agenda. He noted that Conditions 7 of Item 15 [VAC-11633] would need to be deleted because it is redundant.

COMMISSIONER DAVENPORT indicated that he is in disagreement with the application of Item 8 [RQR-11402] and has voted against it in the past; therefore, to remain consistent, he wished to vote against the item again. DEPUTY CITY ATTORNEY BRYAN SCOTT suggested that Item 8 [RQR-11402] be voted separately and the Commissioners agreed.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 6 [WVR-11202], Item 7 [TMP-11684], Item 10 [RQR-11565], Item 13 [SNC-11557] and Item 14 [VAC-11581].

(6:26 – 6:31)

1-850

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by TMP-11447 may be used to satisfy this requirement provided that it addresses the area to be vacated.
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 14 – VAC-11581

CONDITIONS – Continued:

4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. Neither the Order of Vacation nor the Order of Relinquishment of Interest shall be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Relinquishment of Interest and Order of Vacation are not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-11633 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Petition to Vacate a portion of South Casino Center Boulevard generally located between Charleston Boulevard and Coolidge Avenue, Ward 1 (Tarkanian).

SET DATE: 04/05/06

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DUNNAM – APPROVED subject to conditions with the deletion of Condition 7 – **UNANIMOUS** with **TROWBRIDGE** excused and **TRUESDELL** abstaining because the extension from Charleston Boulevard to Colorado runs adjacent to a property in which he has an interest

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

JORGE CERVANTES, Public Works, stated that this Vacation of the right-of-way is requested in order to provide the realignment. The City has been negotiating with the property owners of portions of the property affected by the Vacation.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 15 – VAC-11633

MINUTES – Continued:

WES MILES, adjacent property owner, confirmed he has been in negotiations with the neighborhood and to the district. He requested guarantee that the land would be developed as promised and also requested details about the conditions pertaining to the land swap and Vacation. Typically, when land is vacated it is divided equally between the two affected land owners. In this case, since the land would be granted to the City entirely, he requested confirmation about the intent of the project proposed.

MR. CERVANTES confirmed that vacated land is normally divided equally and this land would go to the City for the purpose of the realignment. The developer adjacent to the Vacation has already received approval for the development of his project. MR. CERVANTES introduced GREG BORGEL, 300 South Fourth Street, who spoke on behalf of the developer proposing to develop the towers. MR. BORGEL indicated that development has been delayed to await the City's plans of Vacating the right-of-way.

TOM McGOWAN, Las Vegas resident, requested a copy of the public map affected by the area. He questioned the impact this Vacation would have on CAT Bus Route 105.

GARY LEOBOLD, Planning and Development Department, requested the deletion of Condition 7 as it is a duplicate of Condition 4.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(6:45 – 6:50)

1-1509

CONDITIONS:

1. The submitted Master Plan of Streets and Highways MSH-11632 shall be approved prior to the recordation of this Vacation.
2. A sanitary sewer relocation/abandonment plan must be approved by the Department of Public Works. If relocation is proposed, the relocated sewer lines must be constructed and active prior to the recordation of the Order of Vacation. Alternatively, public sewer easements shall be retained through this Petition of Vacation.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 15 – VAC-11633

CONDITIONS – Continued:

- may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
 6. All development shall be in conformance with code requirements and design standards of all City Departments
 7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public street light and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
 8. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - GPA-9127 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: VALENTE DEVELOPMENT, ET AL - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: RE (RURAL ESTATES) TO: L (LOW DENSITY RESIDENTIAL) on 11.16 acres at the northeast corner of Rainbow Boulevard and El Campo Grande Avenue (APNs 125-26-304-005, 006, 007; 125-26-401-001 and 002), Ward 6 (Ross). NOTE: THE APPLICATION IS BEING AMENDED TO CHANGE THE REQUESTED LAND USE DESIGNATION TO R (RURAL DENSITY RESIDENTIAL) AND TO ADD TWO PARCELS (APNs 125-26-304-008 AND 125-26-401-003) CURRENTLY DESIGNATED RNP (RURAL NEIGHBORHOOD PRESERVATION) TO THE REQUEST.

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – Motion to HOLD IN ABEYANCE Item 16 [GPA-9127], Item 17 [ZON-11678], Item 18 [VAR-11679] and Item 19 [SDR-11680] to the 4/27/2006 Planning Commission Meeting – Motion Carried with DUNNAM voting NO and TROWBRIDGE excused

MINUTES:

Related Item 16 [GPA-9127], Item 17 [ZON-11678], Item 18 [VAR-11679] and Item 19 [SDR-11680] were requested to be held in abeyance to the 4/13/2003 to allow for further redesign of the lots. GARY. LEOBOLD, Planning and Development Department, noted that if this request were granted, it would be the fourth abeyance

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 16 – GPA-9127

MINUTES – Continued:

in addition to the one instance when it was tabled. He recommenced the items be heard or withdrawn and resubmitted.

COMMISSIONER DUNNAM requested a show of hands of those present regarding Items 16 through 19 and there was one present.

ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant for Items 16 through 19. She was unaware of staff's desire to hear the items. She stated that she contacted the neighbors to inform them of the applicant's request to hold the items in abeyance and noted that she has worked diligently with the Councilman's office. ATTORNEY KEETCH expressed confidence that she would be able to return before the Commissioners to present a site plan that is more compatible with the neighbors and that satisfies the Councilman's concerns. She requested that instead of abeying the items for 30 days, she would request that the items be held for two weeks so as to be heard by the Planning Commission on 4/13/2006.

MARGO WHEELER, Director of Planning and Development, stated that this would be the fourth abeyance request for this project. MS.WHEELER noted that this project has been redesigned several times and staff has reanalyzed the project as a result. At this time, the recommendation is to support a request to withdraw or table the item.

COMMISSIONER DUNNAM concurred with MS. WHEELER'S comments and expressed concern for prolonging this application in respect to concerned neighbors. In defense, ATTORNEY KEETCH noted that at least one abeyance was a result of staff's error. The most recent change warranted a renotification, which was properly conducted.

COMMISSIONER STEINMAN expressed confusion for the recommendation and MS. WHEELER clarified the reasons for the numerous abeyances. Since the applicant has communicated to the neighbors about the request to hold the items in abeyance, it would not be appropriate to proceed. Staff's concern is that an abeyance for two weeks allows the revision of another plan, forcing staff to analyze the plans in a rush so that the application can be properly heard per the agenda. She suggested that the items be tabled to allow time for staff to properly review any revised plans.

COMMISSIONER DUNNAM agreed with the suggestion to table the items in order to renotify the public. He added that should there be any revised plans he would like to receive a copy for his review as this application is of particular interest to him. MR. LEOBOLD advised that if the Commissioners wanted to renote these applications, the deadline to renote for the 4/13/2006 Planning Commission meeting has expired.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 16 – GPA-9127

MINUTES – Continued:

ATTORNEY KEETCH urged not to table the items and explained that many of the requests to hold the items in abeyance have been not been because of revisions to the plans but rather speculation as to whether or not the project is in the rural preservation neighborhood area or not. She suggested to hold the items in abeyance for 30 days to allow time to properly renote the area.

COMMISSIONER DUNNAM supported ATTORNEY KEETCH'S request to hold the items for 30 days to be heard at the 4/27/2006 Planning Commission meeting. VICE CHAIRMAN EVANS commented that the Planning Commission meeting of 4/27/2006 already has a lengthy agenda and so suggested abeying the items to the 5/11/2006 Planning Commission meeting. ATTORNEY KEETCH respectfully requested that the items be held to the 4/27/2006 Planning Commission meeting.

COMMISSIONER GOYNES acknowledged the neighbor who was present in hopes that she may be allowed to express her opinion of the project. DEPUTY CITY ATTORNEY BRYAN SCOTT stated that if it were inconvenient for her to reappear, she is allowed to place written comments for the record in place of her absence. It would not be wise for her to speak on these items since the plans are subjected to change and her comments would no longer be relevant.

COMMISSIONER GOYNES advised the applicant to speak with all neighbors prior to the date of the hearing to allow them an opportunity to address their opinions through written comments if they are unavailable when the items are heard. DEPUTY CITY ATTORNEY SCOTT advised to abey the items to the 4/27/2006 meeting without requesting a time certain.

(6:02 – 6:25)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-11678 - REZONING RELATED TO GPA-9127 - PUBLIC HEARING - APPLICANT/OWNER: VALENTE DEVELOPMENT, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) AND R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 11.16 acres at the northeast corner of Rainbow Boulevard and El Campo Grande Avenue (APNs 125-26-401-001, 002 and 003; and 125-26-304-005, 006, 007 and 008), Ward 6 (Ross).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – Motion to HOLD IN ABEYANCE Item 16 [GPA-9127], Item 17 [ZON-11678], Item 18 [VAR-11679] and Item 19 [SDR-11680] to the 4/27/2006 Planning Commission Meeting – Motion Carried with DUNNAM voting NO and TROWBRIDGE excused

MINUTES:

NOTE: See Item 16 [GPA-9127] for all related discussion.

(6:02 – 6:25)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11679 - VARIANCE RELATED TO GPA-9127 AND ZON-11678 - PUBLIC HEARING - APPLICANT/OWNER: VALENTE DEVELOPMENT, LLC - Request for a Variance TO ALLOW ZERO OPEN SPACE WHERE 28,750 SQUARE FEET OF OPEN SPACE IS THE MINIMUM OPEN SPACE REQUIRED on 11.16 acres at the northeast corner of Rainbow Boulevard and El Campo Grande Avenue (APNs 125-26-401-001, 002 and 003; 125-26-304-005, 006, 007 and 008), R-E (Residence Estates) Zone and R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone [PROPOSED: R-PD3 (Residential Planned Development – 3 Units Per Acre) Zone], Ward 6 (Ross).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESELLE – Motion to HOLD IN ABEYANCE Item 16 [GPA-9127], Item 17 [ZON-11678], Item 18 [VAR-11679] and Item 19 [SDR-11680] to the 4/27/2006 Planning Commission Meeting – Motion Carried with DUNNAM voting NO and TROWBRIDGE excused

MINUTES:

NOTE: See Item 16 [GPA-9127] for all related discussion.

(6:02 – 6:25)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-11680 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-9127, ZON-11678 AND VAR-11679 - PUBLIC HEARING - APPLICANT/OWNER: VALENTE DEVELOPMENT, LLC - Request for a Site Development Plan Review FOR A PROPOSED 40-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 11.16 acres at the northeast corner of Rainbow Boulevard and El Campo Grande Avenue (APNs 125-26-401-001, 002 and 003; 125-26-304-005, 006, 007 and 008), R-E (Residence Estates) Zone and R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone [PROPOSED: R-PD3 (Residential Planned Development – 3 Units Per Acre) Zone], Ward 6 (Ross).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESELLE – Motion to HOLD IN ABEYANCE Item 16 [GPA-9127], Item 17 [ZON-11678], Item 18 [VAR-11679] and Item 19 [SDR-11680] to the 4/27/2006 Planning Commission Meeting – Motion Carried with DUNNAM voting NO and TROWBRIDGE excused

MINUTES:

NOTE: See Item 16 [GPA-9127] for all related discussion.

(6:02 – 6:25)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - GPA-10776 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: SMOKE RANCH DEVELOPMENT, LLC. - Request to amend a portion of the Southwest Sector Map of the Master Plan FROM: O (OFFICE) TO: SC (SERVICE COMMERCIAL) on 2.72 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), Ward 4 (Brown).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	83
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Three letters of support and one email of support submitted by David Clapsaddle, a protest petition containing 37 signatures submitted by Sabrina Gould and a protest petition containing 40 signatures submitted by Gale Jackson for Items 20 – 24 filed under Item 20

MOTION:

STEINMAN – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS with TROWBRIDGE excused

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 20 [GPA-10776], Item 21 [ZON-10778], Item 23 [SUP-10783] and Item 24 [SDR-10784].

GARY LEOBOLD, Planning and Development Department, stated that the mixed-use development would allow the office use on the ground floor and two-story residential units above. He noted the

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 20 – GPA-10776

MINUTES – Continued:

size and shape of the lot emphasizing that the portion available for development would be to the rear of the site. As the site is zoned for Professional Office and Parking (P-R), it does allow mixed use but only up to two stories. In order to develop three stories, the applicant needs to seek a General Plan Amendment to Service Commercial, rezone to Limited Commercial (C-1) and a Special Use Permit is required to allow mixed use in either zone. MR. LEOBOLD explained that since the original submittal, the applicant has redesigned the project to eliminate companion Variances for setbacks and for residential adjacency. They have replanned the site so there is no need for a landscape waiver, they reduced the number of units from 25 to 21 units and increased the office space to 15,200 square feet. While the applicant has amended the project to have less impact than the initial plan did, he recommended denial. He further explained that should the project not proceed and the land use remains changed to Service Commercial with a C-1 zone, it could attract development that could have unacceptable impacts on the adjacent residential properties. MR. LEOBOLD pointed out that the Variance addressing residential adjacency has been withdrawn.

DAVID CLAPSADDLE, GC Garcia, 1711 Whitney Mason Drive, Henderson, Nevada, appeared on behalf of the applicant. He confirmed the withdrawal of the Variance associated with the residential adjacency issue and stated the withdrawal of the landscaping waiver as well. He noted that the maximum height of the building has been reduced from 45 feet to 35 feet, which is within compliance of the Code. The average grade from the top of the building would be 31 feet and since there is no desire to allow Commercial on the site, they wish to limit the first floor uses to the permitted uses of P-R. MR. CLAPSADDLE stated that if it is preferred, the site could remain designated as P-R because the building height is at 31 feet and this would offer assurance that no Commercial development would be conducted. MR. CLAPSADDLE stated they would agree to withdraw the General Plan Amendment and Rezoning applications.

MR. CLAPSADDLE detailed the project by comparing the zoning and plan designations of the surrounding site. He depicted the elevations and referenced different height options. MR. CLAPSADDLE noted that a total of five meetings have been conducted and many concerns have been acknowledged; however, they were unable to obtain total support of the project. He noted many in appearance and welcomed discussion. MR. CLAPSADDLE submitted a letter from the Clark County School District reflecting that they do not object to the project and another letter from a neighbor expressing support. He submitted a letter from a nearby business tenant who indicated that they have experienced difficulty in locating housing in the vicinity for their employees.

TOM McGOWAN, Las Vegas resident, commended MR. CLAPSADDLE'S presentation and questioned the Code's exact verbiage about height requirements.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 20 – GPA-10776

MINUTES – Continued:

MARGO WHEELER, Director of Planning and Development, explained that the maximum height allowed per Code is two stories or 35 feet, whichever is less.

SABRINA GOULD, 7505 Maycrest Circle, referenced the property line in regard to the height impacts of this proposal. She gathered a petition reflecting 37 signatures of opposition of this development. She gave many reasons for concern and stated that the majority wish for the land to remain designated for office development.

JOHNNIE BONGIORNO, 7536 West Holloran Court, stated that the project is well designed but is not appropriate for the subject lot. He expressed concern about one access point for a development of this magnitude.

GAIL JACKSON, 7501 Maycrest Circle, stated that she paid a premium price for the lot she currently owns. She noted that Smoke Ranch Road is frequently used by pedestrian children attending the nearby school; therefore, additional traffic would cause a safety concern for them and those trying to leave for work in the morning hours.

ANNE PREWITT, 7520 Maycrest Circle, stated that this proposal does not benefit the entire community but rather the developer. It could bring down property value and its remote location could attract crime at night providing cover and escape for violators. She stated that the existing school, church, park and family community would be negatively impacted by the proposed land use.

ELIZABETH HILL, 7501 Maycrest Circle, and PAUL KASSIAN, 7516 Holloran Court expressed opposition to the location of the large structure behind their home. MR. KASSIAN also voiced opposition to the project containing one access at Smoke Ranch Road.

In response to all opposing comments, MR. CLAPSADDLE reiterated that the height of the building is below Code requirement. Should office development occur at the same site, it could be constructed taller and abut to the setback line and still conform to Code. Upon consulting a traffic engineer about voiced concerns, he stated that a mixed-use development would not affect the community as intensely as office development could. MR. CLAPSADDLE stressed that this development should not negatively affect property value in the area and he respectfully requested approval.

In reference to MR. CLAPSADDLE'S suggestion to withdraw the applications for the General Plan Amendment and the Rezoning, MS. WHEELER confirmed that option to be acceptable based on the Commissioners decision. Nevertheless, the applicant would be able to apply for a subsequent application for the height Variance, as it is needed to accommodate the third story of

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 20 – GPA-10776

MINUTES – Continued:

this development. Code only allows for two stories or 35 feet, whichever is less. MR. CLAPSADDLE alternatively offered to agree to a condition that would require a deed restriction that would run in perpetuity with the land mandating that only P-R uses would be allowed on the first floor of the building.

COMMISSIONER DUNNAM noted that this building offers approximately 44 feet of distance from existing residents whereas another development could be significantly larger and closer in distance.

COMMISSIONER TRUESDELL commented that this project is a prime example of an infill project since it is surrounded by different uses. While the project does not exactly fit the idea of a mixed-use development, the applicant has respectfully addressed many of the neighbor's concerns. COMMISSIONER TRUESDELL expressed preference for a proposal comprised of either all P-R development or all Residential development.

After conversing with his client, MR. CLAPSADDLE proposed to continue with the application as it has been presented. He indicated that they would agree to prohibit C-1 uses and agree to a deed restriction to impose that the first floor remains P-R.

COMMISSIONER GOYNES questioned if in fact the construction of the building would be visible to the abutting residents. MR. CLAPSADDLE noted that the proposal is not as intrusive as what could be developed on the subject property. As a buffer, the distance between abutting residents and the structure would consist of 24-inch box trees. This would lessen the impact of the structure and distance. MR. CLAPSADDLE stated that he would agree to any condition that the Public Works Department might impose to appease the potential traffic situation. MR. CLAPSADDLE confirmed the reason commercial use would not flourish at the location is because it is unmarketable, it lacks parking for commercial and is somewhat hidden

COMMISSIONER STEINMAN stated that although the residents were told that the subject property would eventually become a parking lot, it potentially could consist of a structure of up to 35 feet in height. He expressed that he would rather see this parcel remain P-R, and prompted discussion that would prohibit C-1 use. MS. WHEELER stated that enforcing the prohibition of C-1 use through a deed restriction as suggested would be difficult. MR. CLAPSADDLE stated that the reason for the request for C-1 zoning is to allow the third story of the structure. He again stated that they would agree to have a deed restriction prohibiting commercial use. COMMISSIONER STEINMAN questioned why the applicant would not agree to leave the property zoned P-R and return with an appropriate Variance request to accommodate the third story of the structure, rather than change the zone to allow the third story. COMMISSIONER

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 20 – GPA-10776

MINUTES – Continued:

STEINMAN expressed that he would prefer the applicant return with a Variance to allow the third story instead of changing the zoning.

COMMISSIONER DAVENPORT agreed with the aforementioned comments about leaving the property zoned P-R and suggested amending Item 24 to reflect only two stories at 31 feet in height. MS. WHEELER stated that the Commissioners are at liberty to amend the conditions of Item 24 so that the structure allows a two-story structure at 31 feet in height only. Thereafter, if the applicant is persistent to construct three stories, he could apply for a Variance and then a Review of Condition to eliminate the restricting condition for two stories only.

Upon listening to all comments about the zoning preference, MR. CLAPSADDLE agreed to withdraw the General Plan Amendment and Rezoning application. He confirmed that the applicant would return with an application for a Variance to confirm their intent of proposing a P-R development only.

MS. WHEELER read two additional conditions for Item 24 that included a height restriction of 31 feet and that a Variance for the third story be filed and approved prior to issuance of Building Permit. MR. CLAPSADDLE agreed.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 20 [GPA-10776], Item 21 [ZON-10778], Item 23 [SUP-10783] and Item 24 [SDR-10784].

(6:50 – 7:38)

1-1708

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-10778 - REZONING RELATED TO GPA-10776 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: SMOKE RANCH DEVELOPMENT, LLC. - Request for Rezoning FROM: U (UNDEVELOPED) [O (OFFICE) MASTER PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 2.72 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), Ward 4 (Brown).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	83
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Three letters of support and one email of support submitted by David Clapsaddle, a protest petition containing 37 signatures submitted by Sabrina Gould and a protest petition containing 40 signatures submitted by Gale Jackson for Items 20 – 24 filed under Item 20

MOTION:

STEINMAN – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS with TROWBRIDGE excused

MINUTES:

NOTE: See Item 20 [GPA-10776] for all related discussion.

(6:50 – 7:38)

1-1708

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-10781 - VARIANCE - PUBLIC HEARING RELATED TO GPA-10776 AND ZON-10778 - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: SMOKE RANCH DEVELOPMENT, LLC. - Request for a Variance TO ALLOW A 39-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 135 FEET IS THE MINIMUM SETBACK REQUIRED adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), U (Undeveloped) Zone [O (Office) Master Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

83

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

RECOMMENDATION:

Staff recommends this item be **WITHDRAWN WITHOUT PREJUDICE.**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Three letters of support and one email of support submitted by David Clapsaddle, a protest petition containing 37 signatures submitted by Sabrina Gould and a protest petition containing 40 signatures submitted by Gale Jackson for Items 20 – 24 filed under Item 20

MOTION:

TRUESEL – Motion to HOLD IN ABEYANCE Item 9 [RQR-11403], Item 32 [SDR-11497], Item 76 [SDR-11583], Item 77 [SDR-11676] and Item 80 [DIR-11779] to the 4/13/2006 Planning Commission Meeting; Item 57 [VAR-11943] and Item 58 [SUP-11589] to the 4/27/2006 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 22 [VAR-10781], Item 28 [VAR-11531], Item 48 [VAR-11727] and Item 66 [SUP-11708] – UNANIMOUS with TROWBRIDGE excused

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 22 – VAR-10781

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, stated that the applicant of Item 22 [VAR-10781] has redesigned this project and no longer needs a Variance therefore requested the item be withdrawn without prejudice. Staff supported the request.

(6:02 – 6:25)

1-70

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SUP-10783 - SPECIAL USE PERMIT RELATED TO GPA-10776, ZON-10778, AND VAR-10781 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: SMOKE RANCH DEVELOPMENT, LLC. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), U (Undeveloped) Zone [O (Office) Master Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

84

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Three letters of support and one email of support submitted by David Clapsaddle, a protest petition containing 37 signatures submitted by Sabrina Gould and a protest petition containing 40 signatures submitted by Gale Jackson for Items 20 – 24 filed under Item 20

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with TRUESEDELL voting NO and TROWBRIDGE excused

To be heard by the City Council on 4/16/2006

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 23 – SUP-10783

MINUTES:

NOTE: See Item 20 [GPA-10776] for all related discussion.

(6:50 – 7:38)

1-1708

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed-Use development.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-10778) Variances (VAR-10780 and VAR-10781), and Site Development Plan Review (SDR-10784).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-10784 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-10776, ZON-10778, VAR-10781 AND SUP-10783 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: SMOKE RANCH DEVELOPMENT, LLC. - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 45-FOOT HIGH, MIXED-USE DEVELOPMENT CONSISTING OF 25 RESIDENTIAL UNITS AND 13,243 SQUARE FEET OF OFFICE SPACE, WAIVERS TO ALLOW A MINIMUM LOT WIDTH OF 59 FEET WHERE 100 FEET IS THE MINIMUM LOT WIDTH REQUIRED, AND TO ALLOW A REDUCTION OF PERIMETER LANDSCAPING STANDARDS on 2.72 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), U (Undeveloped) Zone [O (Office) Master Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). **NOTE: THE APPLICATION IS BEING AMENDED TO REDUCE THE NUMBER OF RESIDENTIAL UNITS FROM 25 TO 21; INCREASE THE SQUARE FOOTAGE OF OFFICE SPACE FROM 13,243 SQUARE FEET TO 15,670 SQUARE FEET AND TO DELETE THE WAIVER REQUEST TO ALLOW A REDUCTION OF PERIMETER LANDSCAPING STANDARDS**

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	84
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Three letters of support and one email of support submitted by David Clapsaddle, a protest petition containing 37 signatures submitted by Sabrina Gould and a protest petition containing 40 signatures submitted by Gale Jackson for Items 20 – 24 filed under Item 20

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 24 – SDR-10784

MOTION:

STEINMAN – APPROVED subject to conditions and adding the following conditions:

- **The maximum building height shall be 31 feet.**
- **A Variance for the third story would necessary to be filed and approved prior to issuance of Building Permit.**
- **Motion carried with TRUESDELL voting NO and TROWBRIDGE excused**

To be heard by the City Council on 4/5/2006

MINUTES:

NOTE: See Item 20 [GPA-10776] for all related discussion.

(6:50 – 7:38)

1-1708

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-10776), a Rezoning (ZON-10778), to a C-1 Zoning District, a Variance (VAR-10780) for reduction of landscape buffering, a Variance (VAR-10781) for residential adjacency, and a Special Use Permit (SUP-10783) for Mixed-Use Development, approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan and building elevations, date stamped 12/13/05, except as amended by conditions herein.
4. Waivers from Title 19.08.045 are hereby approved, to allow a 60-foot lot width where 100 feet is the minimum width allowed, and to allow for a reduction of landscaping standards, as depicted on the site plan and landscape plan date stamped 12/13/05.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
6. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 24 – SDR-10784

CONDITIONS – Continued:

- time application is made for a building permit. The landscape plan shall include irrigation specifications.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
 9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance of 22% (as defined by the National Institute of Standards and Technology).
 10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
 11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
 12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08.
 13. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
 14. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
 15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
 16. All City Code requirements and design standards of all City departments must be satisfied.
- Public Works
17. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 24 – SDR-10784

CONDITIONS – Continued:

18. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. Site development to comply with all applicable conditions of approval for ZON-10778 and all other subsequent site-related actions.
20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - VAR-10773 - VARIANCE - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK LLC - Request for a Variance TO ALLOW 3,225 PARKING SPACES WHERE 3,540 SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED FOR A PROPOSED MIXED-USE DEVELOPMENT on 28.69 acres 8750 Alta Drive (APN 138-32-601-003), U (Undeveloped) Zone [GC (General Commercial) Master Plan Designation] under Resolution of Intent to C-2 (General Commercial) Zone, Ward 2 (Wolfson). **NOTE: THIS APPLICATION IS BEING AMENDED TO ALLOW 3,955 PARKING SPACES WHERE 4,961 SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED**

C.C.: 04/05/06

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

4

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – a parking study submitted by Greg Borgel for Items 25 and 26 filed under Item 25

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with DUNNAM voting NO and TROWBRIDGE excused

To be heard by the City Council on 4/5/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 25 [VAR-10773] and Item 26 [SDR-10770].

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 25 – VAR-10773

MINUTES – Continued:

MARIO SUAREZ, Deputy Director of Planning and Development, explained that the proposal includes the expansion of the square footage of the original project. He noted a summary of comparison for Item 26 which addresses the differences. The major increase affects the retail area, restaurant area and added a fitness center. The project includes a parking Variance and the applicant provided a shared parking study for the Commissioners' consideration but staff cannot support the request. MR. SUAREZ noted there was an additional protest submitted that was not reflected in the report and it related to the parking deficiency. There are conditions of approval and the applicant provided a revised site plan for the Commissioners consideration.

GREG BORGEL, 300 South Fourth Street, appeared on behalf of the developer. He referenced the revised site plan for the project and provided renderings of what is proposed. He noted there is no external visible change in the project but rather more restaurants to support the mixed-use purpose. Quality restaurants can potentially become the anchors in terms of commercial use. He referenced the development of The District, located in Henderson, Nevada that has proven to be tremendously successful primarily because its quality of restaurants. Downtown's recent development has included some fine quality restaurants proving there is a demand, which the applicant is seeking to satisfy.

Upon the desire to supply the demand for more restaurants, the parking ratio was affected and is the reason for the Variance request. MR. BORGEL clarified that the square footage of the facility did not change. While there are many instances within the project that are not deemed useable space, they are calculated in the square footage and ultimately affects the parking requirements. MR. BORGEL thanked staff for their endurance to recalculate figures in order to satisfy this application. He submitted a nationally recognized table compiled by data from the Urban Land Institute and others, which allowed him to explain a mixed-use ordinance that addressed interaction of parking. Since a mixed-use project allows commercial and residential uses, there is not always a need to occupy a parking spot for each use. Many times, a resident will park and later take advantage of some type of commercial use within the facility but not necessarily require a second parking space to do so. As reflected in the table, MR. BORGEL addressed the time interactivity for parking which proves that there should be full compliance for parking of the residences between midnight and 7 a.m. but not for the other use because they would not be operating at those hours. This table verified that there is a suitable amount of parking provided for the weekdays and weekends and respectfully requested approval.

COMMISSIONER STEINMAN pointed out a typo on the table submitted, and MR. BORGEL clarified the correction should reflect Maximum Weekday Parking as the top number of the table.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 25 – VAR-10773

MINUTES – Continued:

TOM McGOWAN, Las Vegas resident, stated confusion as to which restaurants MR. BORGEL referenced as high quality existing in the Downtown area. He suggested that supportive material reflect studies affiliated with a municipal scope rather than a nation.

TODD DAVIS, 8521 Crest Hill Avenue, Angel Park Ranch, stated that the developer has been abundantly active with the community and there is no opposition to the project. MR. DAVIS noted that perimeter neighbors have requested that delays in construction timelines be minimized in order to reduce the time their community is a construction zone.

BEATRICE TURNER, West Las Vegas resident, welcomed a project of such quality in her neighborhood.

In reference to MR. McGOWAN'S comment, MR. BORGEL stated it is the applicant's intent to provide a wide range of restaurants to the development. As per MR. DAVIS' request to not belabor construction, MR. BORGEL noted that upon the Commissioners' approval, this application could be heard by the City Council two weeks sooner than expected which would expedite the completion of the project.

MR. BORGEL asked that the Commissioners consider the lot's irregular shape, which is also severely impacted by a flood control channel. Upon agreeing to all conditions imposed, he read the applicant's agreement to a vertical decorative architectural elements which cannot be occupied and will exceed the base building height. He depicted renderings of the building that displayed the overall appearance of the color scheme selected.

COMMISSIONER STEINMAN requested clarification about the calculation of the square footage, which should not include space such as stairwells and elevators. MR. BORGEL respectfully disagreed and explained it is the City's requirement to include those spaces. COMMISSIONER STEINMAN opined that this conflict should validate the need for an ordinance to address the calculation of times and uses related to parking for a mixed-use development. This is the beginning of many instances where the City would be faced with such a request as there is currently not an ordinance in place to reference negotiable guidelines. COMMISSIONER STEINMAN commented that this project has the potential to achieve and exceed The District's success. He supported the request.

COMMISSIONER TRUESDELL observed that this project is a true reflection of what a mixed-use development should encompass. He supported the Variance as the applicant has established proof that the request is not unreasonable and since the City does not have an ordinance in place to address the needs of a mixed-use development.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 25 – VAR-10773

MINUTES – Continued:

COMMISSIONER GOYNES questioned if there is an ordinance in progress to accommodate the developers with appropriate guidelines. MARGO WHEELER, Director of Planning and Development, confirmed there is an ordinance currently being established; however, gross square footage would still be enforced. MS. WHEELER further explained that if the Planning Commission finds there to be a reasonable request to differ from the ordinance, a Variance would remain an option.

COMMISSIONER DUNNAM noted the projects' due credibility but did not support the parking Variance. He referenced the submitted document and noted that the basis for support indicates that the owner is confident that a significant portion of the patriot to the site would be a result of a synergistic relationship between mixed-uses and further that the owner is confident that the proposed parking will accommodate shared parking demands. Because the argument is based on the owner's belief, he would not support the application.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 25 [VAR-10773] and Item 26 [SDR-10770].

(7:39 – 8:02)
2-255

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-10770).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All requirements for Valet Parking Plan shall be met subject to Subsection 19.04.040 of the Zoning Ordinance, subject to administrative review and approval by the Planning and Development Department.
4. The Site Plan, Floor Plans and Building Elevations shall be modified as appropriate to reflect a maximum commercial gross square footage of 699,000 square feet, subject to review and approval by the Planning and Development Department.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-10770 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-10773 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK LLC - Request for a Site Development Plan Review FOR A TEN-STORY MIXED-USE DEVELOPMENT CONSISTING OF 699,000 SQUARE FEET OF COMMERCIAL SPACE AND 340 RESIDENTIAL UNITS on 28.69 acres 8750 Alta Drive (APN 138-32-601-003), U (Undeveloped) Zone [GC (General Commercial) Master Plan Designation] under Resolution of Intent to C-2 (General Commercial) Zone, Ward 2 (Wolfson). NOTE: THIS APPLICATION IS BEING AMENDED FOR MIXED-USE DEVELOPMENT CONSISTING OF 699,000 NET SQUARE FEET OF COMMERCIAL SPACE

C.C.: 04/05/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – a parking study submitted by Greg Borgel for Items 25 and 26 filed under Item 25

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with DUNNAM voting NO and TROWBRIDGE excused

To be heard by the City Council on 4/5/2006

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 26 – SDR-10770

MINUTES:

NOTE: See Item 25 [VAR-10773] for all related discussion.

(7:39 – 8:02)

2-255

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-5653), a Special Use Permit (SUP-5853) and Variance (VAR-10773) to allow Mixed-Use development, approved by the City Council.
2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and floor plan dated 1/31/06, and the building elevations and colored presentation material, dated 1/31/06 with a maximum number of 340 units, except as amended by conditions herein.
4. Agreement for any adjustments to the eastern property line shall be submitted to the City of Las Vegas for review and approval.
5. The applicant shall incorporate the Multi-Use Transportation Trail, as required by the 1/20/05 General Plan Master Plan Transportation Trails Element, located along the northern and western boundary of the property, subject to review and approval of the Planning and Development Department.
6. The applicant shall comply with all parking, loading and traffic standards of Title 19 (Zoning Ordinance), except as modified herein, subject to review and approval by the Planning and Development Department.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications. Landscape islands shall be provided in the surface parking lot in accordance with the requirements listed in Title 19.12.040. Trees shall be provided at a ratio of one tree for every six spaces in the surface parking lot.
8. All required perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffer areas and the width of all buffers shall conform to the minimum requirements listed in Title 19.12.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 26 – SDR-10770

CONDITIONS – Continued:

9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development. Turf in other areas shall be limited to 12.5% of the total landscape area. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to incorporate the required changes demonstrating conformance with Code.
10. The landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
11. All structures shall conform to the Residential Adjacency Standards listed in Title 19.08.060.
12. All glazing shall conform to the requirements listed in Title 19.08.045.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials along the exterior of the wall.
14. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and properties.
15. Loading spaces and services areas shall be screened from view of abutting streets and properties by a screen wall or dense landscaping. An additional sound wall shall be provided in front of the loading area on the east side of the site to buffer the area from the abutting residential properties, subject to review and approval by the Planning Department.
16. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed buildings. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties in accordance with the Residential Adjacency Standards.
17. A Master Sign Plan shall be submitted for approval of the Planning Commission prior to the issuance of a Certificate of Occupancy for any building on the site.
18. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 26 – SDR-10770

CONDITIONS – Continued:

19. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
20. No access shall be allowed from the subject site to Venetian Strada.
21. No trash pick-up service or deliveries shall be allowed to the loading area on the east side of the property between the hours of 10:00 p.m. and 7:00 a.m. Failure to comply with this requirement shall result in action by the Code Enforcement Division.
22. The emergency access road on the east side of the development site shall be limited to emergency vehicles only, and shall not be used by residents or guests of the development.
23. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
24. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

25. Coordinate with the Collection System Planning Section of the Department of Public Works to determine an appropriate down stream relief system for the public sewer connection to this site, prior to the issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Comply with the recommendations of the Collection System Planning Section of the Department of Public Works.
26. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
27. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
28. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 26 – SDR-10770

CONDITIONS – Continued:

29. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
30. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
31. Landscape and maintain all unimproved rights-of-way adjacent to this site.
32. Submit an Encroachment Agreement for all landscaping and private improvements, located within the public rights-of-way adjacent to this site prior to occupancy of this site.
33. An update to the previously approved Traffic Impact Analysis [TIA #T5604] must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
34. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5653 and all other subsequent site-related actions.
35. The developer of this site shall post a bond in the amount of \$350,000 to cover the cost of a traffic signal system at the intersection of Durango Drive and Venetian Strada/Lunsford Avenue, and the developer shall design and construct the signal within 1 year after issuance of the certificate of occupancy and/or final inspection for the final condominium building

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 26 – SDR-10770

CONDITIONS – Continued:

proposed on this site if and only if a signal warrant study, to be performed by the City at or about that same time warrants the signal. Said bond amount shall be included with the overall bond for off-site improvements associated with this project, and will not be released until the signal is accepted for maintenance by the city. Should the signal not meet warrants upon review of the study, this additional bond will be released as soon as possible.

36. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-11270 - VARIANCE - PUBLIC HEARING - APPLICANT: BARRY ROSS - OWNER: KATHLEEN S. MAYERS - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 21 FEET WHERE 51 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED COMMERCIAL BUILDING, TO ALLOW A TRASH ENCLOSURE SETBACK OF FIVE FEET ADJACENT TO A RESIDENTIAL USE WHERE 50 FEET IS THE MINIMUM SEPARATION REQUIRED, AND TO ALLOW AN 11-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED on 2.5 acres at 4550 West Oakey Boulevard (APNs 162-06-202-001 and 002), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – DENIED – Motion carried with EVANS voting NO and TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 27 [VAR-11270] and Item 29 [SDR-11197].

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 27 – VAR-11270

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, stated that the site currently has two office buildings and the applicant is proposing the development of a third office building. Initially there were several Variances associated with the application but the applicant has made significant design changes which corrected the following: trash enclosure; setback issues; variance for loading spaces. While the remaining Variance affecting the residential adjacency setback is now needed at a lesser degree, staff would not support the request and recommended denial of the Variance. MR. LEOBOLD indicated that the site plan review fails to meet the residential character designated for the Professional Office and Parking (P-R) zone and recommended denial. He noted that the P-R zoning is not in compliance with the General Plan designation and the City is sponsoring a General Plan Amendment at a future date to correct that issue and therefore would not be the applicant's burden.

JIM COOPER appeared on behalf of the applicant and clarified that the residential adjacency Variance would be for 28 feet. As this building is an addition to what exists, the owner is proposing to relocate many of the trees in addition to providing new landscaping to serve as an appropriate buffer for the new building. The landscape buffer should completely shield the new building because the structure would only be 17 feet in height and depicted renderings displaying their intent. MR. COOPER stated that if it is not feasible to salvage existing landscape, the owner is prepared to supply mature vegetation to achieve the desired dense buffer. With the enhancements proposed, he requested approval.

TOM McGOWAN, Las Vegas resident, queried the reason for the amount of Variances requested for this project.

HAROLD WINNETT, 4613 Exposition Avenue, expressed opposition for the project because of the trash enclosure location. ERNESTO HERNANDEZ, 4609 Exposition Avenue, concurred with the aforementioned opposing comments. MR. HERNANDEZ stated that his son has asthma and he obtained documentation from his son's doctor noting the detrimental consequences of allowing the trash enclosure to be located near their home.

MR. COOPER acknowledged the concerns about the location of the trash enclosure and stated that the new location would be 54 feet away from the property line. MR. COOPER pointed out that all parking requirements would be met and the amount of square footage allowed is 50 percent whereas this site would allow 27 percent.

BARRY ROSS, Applicant, stated that the trash collected consists of office wastes; primarily paper and cardboard.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 27 – VAR-11270

MINUTES – Continued:

COMMISSIONER STEINMAN expressed concern about the lot coverage proposed for 27 percent but MR. COOPER provided numbers to argue the validity. COMMISSIONER STEINMAN stated that while the trash enclosure issue has been resolved, it does appear that the structure is too large for the area and he did not support the requests.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 27 [VAR-11270] and Item 29 [SDR-11197].

(8:02 – 8:16)

2-1051

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-11531 - VARIANCE RELATED TO VAR-11270 - PUBLIC HEARING - APPLICANT/OWNER: KATHLEEN S. MAYERS - Request for a Variance TO ALLOW NO ON-SITE LOADING SPACE WHERE THREE ON-SITE LOADING SPACES ARE REQUIRED on 2.5 acres at 4550 West Oakey Boulevard (APNs 162-06-202-001 and 002), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be **WITHDRAWN WITHOUT PREJUDICE**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – Request to withdraw without prejudice by Marcus & Millichap

MOTION:

TRUEDELL – Motion to HOLD IN ABEYANCE Item 9 [RQR-11403], Item 32 [SDR-11497], Item 76 [SDR-11583], Item 77 [SDR-11676] and Item 80 [DIR-11779] to the 4/13/2006 Planning Commission Meeting; Item 57 [VAR-11943] and Item 58 [SUP-11589] to the 4/27/2006 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 22 [VAR-10781], Item 28 [VAR-11531], Item 48 [VAR-11727] and Item 66 [SUP-11708] – UNANIMOUS with TROWBRIDGE excused

MINUTES:

A redesign of the project pertaining to Item 28 [VAR-11531] has rendered the Variance unnecessary and, therefore, the applicant requested the item be withdrawn without prejudice. Staff supported the request.

(6:02 – 6:25)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-11197 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-11270 AND VAR-11531 - PUBLIC HEARING - APPLICANT/OWNER: KATHLEEN S. MAYERS - Request for a Site Development Plan Review FOR A PROPOSED 10,000 SQUARE-FOOT OFFICE BUILDING AND WAIVERS OF PARKING LOT LANDSCAPING AND PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 2.5 acres at 4550 West Oakey Boulevard (APNs 162-06-202-001 and 002), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – DENIED – Motion carried with EVANS voting NO and TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 27 [VAR-11270] for all related discussion.

(8:02 – 8:16)

2-1051

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SUP-10236 - SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICANT: CONNELL OUTDOOR - OWNER: WEST SAHARA PARTNERS -
Request for a Special Use Permit FOR A PROPOSED 40-FOOT HIGH, 14-FOOT BY 48-FOOT
OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6390 West Sahara Avenue (a portion
of APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – Letter of opposition from William and Connie Quinn

MOTION:

STEINMAN – DENIED – UNANIMOUS with TROWBRIDGE excused

This is Final Action

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

FRED SOLIS, Planning and Development, stated that the sign meets all requirements but is located in an area east of the Billboard Exclusionary Zone. The area is generally without off-premise signage but he stated it is still not appropriate, and therefore recommended denial.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 30 – SUP-10236

MINUTES – Continued:

TREVOR HAYES, 300 South Fourth Street, appeared on behalf of the applicant and stated that the site is located within a retail shopping center zoned Limited Commercial (C-1). He described the area around the subject property and pointed out that the sign conforms to all Title 19 requirements. As it is outside the Billboard Exclusionary Zone he noted that there is a billboard within 1,000 feet. He requested approval.

TOM McGOWAN, Las Vegas resident, questioned if the content of the sign is in conformance with other signage within the area and why this sign is out of the Billboard Exclusionary Zone. He stated that there appears to be no compelling reason not to approve the item, and he recommended approval.

COMMISSIONER STEINMAN stated that the compelling reason to deny this request would be due to the efforts to clean up Sahara Avenue and reduce the sign blight in that region. In order to remain consistent, he would not support the application.

COMMISSIONER TRUESDELL stated that the sign in existence on Sahara Avenue that belongs to a mini storage facility and appears to be an off premise sign. If this sign were approved, it would contribute to sign blight in that area and he did not support the request.

VICE CHAIRMAN EVANS concurred with opposing comments from the Commissioners.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(8:16 – 8:23)

2-1571

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☐

DISCUSSION

SUBJECT:

ABEYANCE - SDR-11188 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: NORTHWEST ESTATES, LLC - Request for a Site Development Plan Review FOR A PROPOSED 308-LOT RESIDENTIAL DEVELOPMENT on 38.6 acres at the southeast corner of Lone Mountain Road and Puli Road (APNs 137-01-101-001 and 009; 137-01-201-001, 002, 011 and 012; 137-301-001 and 002), U (Undeveloped) Zone [PCD (Planned Community Development) Master Plan Designation] [PROPOSED: PD (Planned Development) Zone], Ward 4 (Brown).

C.C.: 04/05/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with TROWBRIDGE excused, EVANS and TRUESDELL voting NO and DUNNAM abstaining because he has an open contract with Stuart Apollo who is working with the applicant, Richmond American Homes

NOTE: COMMISSIONER STEINMAN disclosed that he is a member of the Board of Directors of Sun City Summerlin, which has hired the law firm of Kummer Kaempfer Bonner Renshaw & Ferarrio to do legal work in the case of drafting a lease for facilities on their properties. Because their work is not related to land use, he felt it would not affect his opinion and would vote on the matter.

To be heard by the City Council on 4/5/2006

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 31 – SDR-11188

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, recollected that this item was one of the many that appeared before the Commissioners at the 2/23/2006 Planning Commission Meeting. The companion items requested a modification of rezoning and were recommended for approval but this application was held in order to be redesigned with consideration to the topography and the elevations on the site. Subsequently, the applicant requested to utilize the original design since the development meets Title 18, Title 19 and all Lone Mountain West standards.

MR. LEOBOLD summarized that Kersee Street would be extended south, increased traffic would occur at Stange Avenue and Peaceful Dawn Avenue, and potential water service and drainage difficulties could result from this development. A condition of approval would prohibit three-story homes on lots along the east boundary and adjacent to Kersee Street. The site plan should depict a required multi-use transportation trail and its connection to the multi-use equestrian trail on the west side of the Puli Road alignment. He recommended denial based on the density proposed under the current General Plan Designation, the steep slopes of the site and the limited access to the site.

ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared with KELLY WITTEWER, Triton Engineering, on behalf of the applicant. ATTORNEY KEETCH stated that the companion applications received approval by the Commissioners and, subsequently, by the City Council. The reason for the request to redesign the site was to address the significant slopes in the area and to evaluate how the applicant would deal with the walls on the eastern perimeter while considering the street configuration in regard to topography and drainage issues.

ATTORNEY KEETCH stated that the design of the site is based on the water issues pertaining to water pressure affecting the site. The Water District approved the proposal based upon the existing street configuration. With respect to the walls, she referenced plans to determine what the walls would look like on the north end of the site. There would be sections consisting of two and three level walls ranging from five feet and varying to a maximum of eight feet in height. The existing development adjacent to the east side and south side of the project would only see their wall because there would be a channel separating the two properties.

TOM McGOWAN, Las Vegas resident, questioned how this project would influence the need for affordable housing and what the nature of the mix of the housing would be pertaining to the range of affordability. He stated that if the mix were appropriate, he supported the application and, if not, he urged the Commissioners to stress to all applicants the need to consider people as a community before considering size and dimension of potential projects.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 31 – SDR-11188

MINUTES – Continued:

COMMISSIONER TRUESDELL voiced concern for the need of a hillside ordinance to properly address slope issues. He remained concerned about the stepback walls along the east side of the project but acknowledged the applicant's efforts to address those concerns.

Upon VICE CHAIRMAN EVANS inquiry, ATTORNEY KEETCH clarified that the reason a redesign of the project was not fulfilled was because of poor drainage and topography constraints.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(8:23 – 8:35)

2-1849

CONDITIONS:

Planning and Development

1. Approval of and conformance to the conditions of approval of a Major Modification (MOD-11184) of the Lone Mountain West Master Development Plan, Rezoning (ZON-11187) to a PD (Planned Development) Zoning District and a Vacation (VAC-11354) of public right-of-way.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All development shall be in conformance with the site plan date stamped 02/17/06 and building elevations date stamped 01/10/06, except as amended by conditions herein.
4. Building height shall not exceed three stories or 35 feet, whichever is less.
5. Lots along the eastern boundary and adjacent to Kersee Street shall be limited to two stories.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to show how the required Multi-Use Transportation Trail will cut across the park site and connect with the future Multi-Use Equestrian Trail on the west side of the Puli Road alignment.
7. The setbacks for this development shall be a minimum of 5 feet to the front of the house, a maximum of 5 feet or a minimum of 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 7 feet on the corner side, and 3 feet in the rear.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 31 – SDR-11188

CONDITIONS – Continued:

8. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed.
12. Prior to approval of the Final Map Mylar, two final landscape plans must be submitted for review and approval by the Planning and Development Department in conformance with the conditions of approval.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Submit a petition to vacate all existing public rights-of-way in conflict with this site; such Vacation Application shall have received City Council action prior to submittal of a Tentative Map for this site, and shall record immediately prior to recordation of any Final Map overlying or adjacent to the areas to be vacated. In order to preserve legal access to all parcels that currently enjoy it, the Vacation and Final Maps must record immediately in sequence.
16. All structures and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. Provide Site Visibility Restriction Zones at all intersections with public streets.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 31 – SDR-11188

CONDITIONS – Continued:

17. Provide “L” type curbing per Standard Drawing 216 for the internal private streets or widen to 39 feet to accommodate roll curbing.
18. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
19. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
21. Site development to comply with all applicable conditions of approval for ZON-11187, the Lone Mountain West Master Development Plan and all other applicable site-related actions.
22. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-11497 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: DONIA FAMILY L.P. - Request for a Site Development Plan Review FOR THE CONVERSION OF A 228 UNIT APARTMENT COMPLEX TO A CONDOMINIUM DEVELOPMENT on 9.13 acres located at 5400 West Cheyenne Avenue (APN 138-12-401-002), R-3 (Medium Density Residential) Zone, Ward 6 (Ross).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESELLE – Motion to HOLD IN ABEYANCE Item 9 [RQR-11403], Item 32 [SDR-11497], Item 76 [SDR-11583], Item 77 [SDR-11676] and Item 80 [DIR-11779] to the 4/13/2006 Planning Commission Meeting; Item 57 [VAR-11943] and Item 58 [SUP-11589] to the 4/27/2006 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 22 [VAR-10781], Item 28 [VAR-11531], Item 48 [VAR-11727] and Item 66 [SUP-11708] – UNANIMOUS with TROWBRIDGE excused

MINUTES:

The applicant of Item 32 [SDR-11497] has asked to abey the item to the 4/13/2006 Planning Commission meeting because he is redesigning the project. Staff supported the request.

(6:02 – 6:25)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-11695 - REZONING - PUBLIC HEARING - APPLICANT: FAMILY PROMISE - OWNER: WIDOW'S MITE, INC. - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: O (OFFICE) on 0.13 acres at 502 West Van Buren Avenue (APN 139-27-110-043), Ward 5 (Weekly).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	10
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 33 [ZON-11695], Item 34 [VAR-11695], Item 35 [VAR-11700], Item 36 [SUP-11696] and Item 37 [SDR-11694].

FRED SOLIS, Planning and Development, stated that the proposal is not appropriate for the area since it is in the interior of a neighborhood. The rezoning constitutes spot zoning, as the general area is residential in nature with no other office uses within the immediate vicinity. The conversion is inappropriate as evidenced by the multiple waivers and variances that are presented in conjunction with these applications. This development is too intense for the area and he recommended denial.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 33 – ZON-11695

MINUTES – Continued:

ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She noted that the parcel consists of an existing home located within the Redevelopment Area and the land use designation for the site is mixed-use. Being that there are many vacant parcels, it prompted the proposed development for additional mixed-use development.

ATTORNEY KEETCH pointed out that this use has been operating on the site for a number of years and has been receiving grants from the City for the years that they have been in operation. Upon the City's revised procedures for providing grants, it was brought to the applicant's attention of the need for a zone change. Family Promise provides life skills to families who are temporarily in a homeless situation and are unable to provide for themselves. Family Promise is in partnership with other faith-based organizations where those in need are allowed to remain overnight. ATTORNEY KEETCH confirmed that a caretaker does reside on site to provide security services but reiterated that no one is allowed to stay overnight.

In respect to the waivers requested, the site is already developed and parking should not be a concern being that most, if not all, receiving services do not have a vehicle. The area is planned for a mixture of uses and is hopeful that it will be developed for a number of uses.

TOM MCGOWAN, Las Vegas resident, questioned the number of clients assisted at the subject property, whether there have been any complaints regarding criminal activity, what the cost is to the City and whether the facility is engaged in the assistance of less fortunate persons.

RUTH D'HONDT, Berkley Square Neighborhood Association, stated that the neighborhood is part of historic West Las Vegas and their association has been working with Code Enforcement and the City to improve the area. She voiced opposition to any change in order to accommodate an office that was initially designed for residential use.

BEATRICE TURNER, West Las Vegas, corrected ATTORNEY KEETCH, as the subject site is not part of the Redevelopment area. MS. TURNER referenced the City Council meeting of 3/15/2006 where it was confirmed that no residential property would be included in the Redevelopment area. She opposed the request to rezone this property and was appalled that the facility was not shut down once it was discovered to have been operating illegally. MS. TURNER suggested several other developments that would accommodate such a business and requested denial of the applications.

DRUSILLA GIVENS, 409 Leonard Avenue, stated that she is in opposition to all Rezoning, Special Use Permit, and Variance requests associated with these applications.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 33 – ZON-11695

MINUTES – Continued:

CORDELIA FREEMAN, 610 West Van Buren Avenue, concurred with all opposing comments. She stressed her desire for the community to consist of homeowners and businesses rather than social programs and asked that her neighborhood be valued as other are. She requested denial of all companion applications.

SWAYZINE FIELDS, 1124 Comstock Drive, commended the intent of Family Promised but opposed the location of their establishment. West Las Vegas currently suffers from blight from lack of development and she opposed the applications.

DELRAY ROSE, West Las Vegas, stated that she has witnessed police interaction at the subject property and is opposed to the operation at this location. She expressed disappointment for the lack of development occurring in West Las Vegas because of poverty pimps.

PASTOR McCLOED, 1628 North G Street, concurred with the aforementioned opposing comments and expressed the desire to keep the neighborhood residential.

PATTY JACOBS, West Las Vegas, expressed concern for the need to enhance the community that exists rather than allow it to deteriorate with poor development.

PASTOR REDDICK, 615 West Van Buren, stated he is a new resident from Atlanta, Georgia. When informed of the proposal he was discombobulated at the request since it does not promote residential community development. This application would encourage other similar development that is not desired and he strongly recommended denial.

JAMES JACOBS, 505 Frederick, expressed opposition to the request.

ATTORNEY KEETCH reiterated that this site is located within the Redevelopment area and is designated as mixed-use which allows this type use. She noted that if the applicant had the opportunity to conduct a neighborhood meeting to educate and present the services offered, they would be supportive. She requested the opportunity to address some concerns by coordinating a meeting to educate the neighborhood.

VICE CHAIRMAN EVANS asked ATTORNEY KEETCH if she could provide feedback about how many people are served during a business day and whether there have been any complaints received about the business. ATTORNEY KEETCH replied that Family Promise serves about three to four families at one time for a proximate maximum of 14 people. She was unaware of any negative reports made about the business, although Family Promise has contacted authorities to file complaints about suspicious activity in the neighborhood.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 33 – ZON-11695

MINUTES – Continued:

Directing the following question to staff, COMMISSIONER GOYNES questioned how the business was able to operate illegally. MARGO WHEELER, Director of Planning and Development, replied that some social service providers do not need to modify the structure from which they operate. While applying through grants via City funding, Family Promise discovered they were unable to meet the prerequisite that required a proper business license. COMMISSIONER GOYNES expressed disappointment that Family Promise was able to evade the law while a recent situation involving a minority was discovered operating without a proper license and his business was shamefully publicized upon being shut down. COMMISSIONER GOYNES stated that there should be consistency in monitoring such businesses. He commented that although the community is not in favor of the operation, it would be best to allow time for the applicant to discuss the project amongst the neighbors in order to educate and prompt negotiations. This would allow the neighbors to voice their preferences about the operation of such service within their community.

VICE CHAIRMAN EVANS disagreed with the suggestion to allow time for negotiation because the site is relatively small and the underlying concern appears to be a saturation issue. Although it may be a commendable business, it is located at the wrong site. COMMISSIONER GOYNES acknowledged VICE CHAIRMAN EVANS' comments and concurred.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 33 [ZON-11695], Item 34 [VAR-11695], Item 35 [VAR-11700], Item 36 [SUP-11696] and Item 37 [SDR-11694].

(8:54 – 9:24)

2-2359

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11698 - VARIANCE RELATED TO ZON-11695 - PUBLIC HEARING - APPLICANT: FAMILY PROMISE - OWNER: WIDOW'S MITE, INC. - Request for a Variance TO ALLOW TWO PARKING SPACES WHERE FIVE PARKING SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED AND TO ALLOW NO LOADING SPACE WHERE ONE LOADING SPACE IS REQUIRED on 0.13 acres at 502 West Van Buren Avenue (APN 139-27-110-043), R-4 (High Density Residential) Zone [PROPOSED: O (Office) Zone], Ward 5 (Weekly).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

10

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 33 [ZON-11695] for all related discussion.

(8:54 – 9:24)

2-2359

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11700 - VARIANCE RELATED TO ZON-11695 AND VAR-11698 - PUBLIC HEARING - APPLICANT: FAMILY PROMISE - OWNER: WIDOW'S MITE, INC. - Request for a Variance TO ALLOW A 21-FOOT FRONT YARD SETBACK WHERE 25 FEET IS THE MINIMUM FRONT YARD SETBACK REQUIRED; TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM SIDE YARD SETBACK REQUIRED AND TO ALLOW A 40-FOOT LOT WIDTH WHERE 100 FEET IS THE MINIMUM LOT WIDTH REQUIRED AND TO PROVIDE NO TRASH ENCLOSURE WHERE A TRASH ENCLOSURE IS REQUIRED on 0.13 acres at 502 West Van Buren Avenue (APN 139-27-110-043), R-4 (High Density Residential) Zone [PROPOSED: O (Office) Zone], Ward 5 (Weekly).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

10

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 33 [ZON-11695] for all related discussion.

(8:54 – 9:24)

2-2359

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-11696 - SPECIAL USE PERMIT RELATED TO ZON-11695, VAR-11698, AND VAR-11700 - PUBLIC HEARING - APPLICANT: FAMILY PROMISE - OWNER: WIDOW'S MITE, INC. - Request for a Special Use Permit FOR A PROPOSED SOCIAL SERVICE PROVIDER at 502 West Van Buren Avenue (APN 139-27-110-043), R-4 (High Density Residential) Zone [PROPOSED: O (Office) Zone], Ward 5 (Weekly).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	10
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 33 [ZON-11695] for all related discussion.

(8:54 – 9:24)

2-2359

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-11694 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-11695, VAR-11698, VAR-11700 AND SUP-11696 - PUBLIC HEARING - APPLICANT: FAMILY PROMISE - OWNER: WIDOW'S MITE, INC. - Request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF A RESIDENCE TO AN OFFICE AND A WAIVER OF PERIMETER LANDSCAPING REQUIREMENTS on 0.13 acres at 502 West Van Buren Avenue (APN 139-27-110-043), R-4 (High Density Residential) Zone [PROPOSED: O (Office)] Zone, Ward 5 (Weekly).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	10
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 33 [ZON-11695] for all related discussion.

(8:54 – 9:24)

2-2359

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-11699 - REZONING - PUBLIC HEARING - APPLICANT: HONDA DEVELOPMENT, LLC - OWNER: SANDHILL VILLAGE, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL) TO: R-PD11 (RESIDENTIAL PLANNED DEVELOPMENT - 11 UNITS PER ACRE) on 2.54 acres adjacent to the south side of Tully Avenue, approximately 300 feet east of Sandhill Road (APN 140-30-801-006), Ward 3 (Reese).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 38 [ZON-11699], Item 39 [VAR-11704] and Item 40 [SDR-11701].

GARY LEOBOLD, Planning and Development Department, reported that the site falls under the Medium Density Residential (M) land use designation and the proposed Residential Planned Development – 11 units per acre (R-PD11) would conform. The Rezone would allow the applicant more options for the lot design of the proposed townhouse project. The project meets many Code

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 38 – ZON-11699

MINUTES – Continued:

requirements but is limited to existing boundaries as it is an infill project; therefore, MR. LEOBOLD deemed all requests to be appropriate. He explained that the site plan review consists of 28 townhouse units in groups of two or four units and has existing apartment complexes on the south and west sides of the boundaries. Since the project is compatible with other development he supported the applications.

JOHN MENG, Wright Engineers, 7425 Peak Drive, represented the application and referenced previous negotiations made with staff concerning Condition 5 of Item 38. MR. MANG stated that it would be allowed to dedicate the Public Sewer Easement on the final map rather than prior to the issuance of permits. BART ANDERSON, Public Works, confirmed that the modification would be acceptable and a change to Condition 5 would not be necessary.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 38 [ZON-11699], Item 39 [VAR-11704] and Item 40 [SDR-11701].

(9:24 – 9:29)

3-138

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-11701) application approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 30 feet of right-of-way adjacent to this site for Tully Avenue prior to the issuance of any permits.
4. Construct half-street improvements including appropriate transitional paving on Tully Avenue adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 38 – ZON-11699

CONDITIONS – Continued:

5. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11704 - VARIANCE RELATED TO ZON-11699 - PUBLIC HEARING - APPLICANT: HONDA DEVELOPMENT, LLC - OWNER: SANDHILL VILLAGE, LLC
 - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 2.54 ACRES WHERE FIVE ACRES IS THE MINIMUM ACREAGE REQUIRED adjacent to the south side of Tully Avenue approximately 300 feet east of Sandhill Road (APN 140-30-801-006), R-E (Residence Estates) Zone under Resolution of Intent to R-3 (Medium Density Residential) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 Units Per Acre) Zone], Ward 3 (Reese).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 38 [ZON-11699] for all related discussion.

(9:24 – 9:29)

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 39 – VAR-11704

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-11699) and Site Development Plan Review (SDR-11701).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-11701 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-11704 AND ZON-11699 - PUBLIC HEARING - APPLICANT: HONDA DEVELOPMENT, LLC - OWNER: SANDHILL VILLAGE, LLC - Request for a Site Development Plan Review FOR A PROPOSED 28-UNIT TOWNHOME DEVELOPMENT on 2.54 acres adjacent to the south side of Tully Avenue, approximately 300 feet east of Sandhill Road (APN 140-30-801-006), R-E (Residence Estates) Zone under Resolution of Intent to R-3 (Medium Density Residential) Zone [PROPOSED: R-PD11 (Residential Planned Development – 11 Units Per Acre) Zone], Ward 3 (Reese).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 38 [ZON-11699] for all related discussion.

(9:24 – 9:29)

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 40 – SDR-11701

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-11699) to an R-PD11 (Residential Planned Development - 11 Units per Acre) Zoning District and a Variance (VAR-11704) for minimum R-PD site size, approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan and building elevations, date stamped 02/07/06, except as amended by conditions herein.
4. The standards for this development shall include the following: building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 3.25 feet to the front of the house, 3.25 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, zero feet on the side, 3.25 feet on the corner side, and 3.25 feet in the rear.
6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
7. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 40 – SDR-11701

CONDITIONS – Continued:

11. Prior to approval of the Final Map Mylar, two final landscape plans must be submitted for review and approval by the Planning and Development Department in conformance with the conditions of approval.
12. Air conditioning units shall not be mounted on rooftops.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
14. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Gated driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
18. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-11699 and all other subsequent site-related actions.
21. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 40 – SDR-11701

CONDITIONS – Continued:

22. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-11718 - REZONING - PUBLIC HEARING - APPLICANT: INTERURBAN CONSTRUCTION, LLC - OWNER: URBAN LOFTS XIV, LTD. - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE) on 6.07 gross acres at the northwest corner of 25th Street and Charleston Boulevard (APN 139-35-815-002), Ward 3 (Reese).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – additional staff report from the Planning and Development Department for Items 41 – 45 filed under Item 41

MOTION:

TRUESDELL – APPROVED subject to conditions deleting Conditions 3, 4 and 6 and adding the following condition as read for the record:

- Approval is for R-PD13.
- UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 41 [ZON-11718], Item 42 [WVR-12176], Item 43 [VAR-11723], Item 44 [VAC-11717] and Item 45 [SDR-11728].

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 41 – ZON-11718

MINUTES – Continued:

MARIO SUAREZ, Deputy Director of Planning and Development, provided revisions of the proposed site plan to reference the elimination of the Vacation request. He noted that the project now consists of 79 units instead of 85 units thus requiring less parking, a density that now reflects 13 units to the acre, and an increase in the open space provided. These revisions were prompted upon information pertaining to the infrastructure; however; staff was still unable to support the Variance. MR. SUAREZ noted the conditions of approval for the Commissioners' consideration. MARGO WHEELER, Director of Planning and Development, stated that there is an item on the following agenda pertaining to the establishment of categories within the Redevelopment area. There are currently four categories of land use and because this particular project is part of that action, the General Plan Amendment related item will be part of that hearing on the next agenda.

TRINITY SCHLOTTMAN, Urban Lofts, appeared with JAMES LOPEZ, JPL Engineering. MR. SCHLOTTMAN explained that the proposed Vacation scheduled to affect Twenty Fifth Street did have the support of the City and County but because the proposed cul-de-sac associated with the Vacation would encroach onto the property of the Silver Saddle, the applicant decided to withdraw the Vacation application. The new plans incorporate the suggestions made by staff, which depicts that all units would be built on the site with the inclusion of a bus turnout to satisfy Public Works suggestion. MR. SCHLOTTMAN noted that a six-foot buffer would be provided along the exterior of the property and 15 to 20 feet of landscaping along Twenty Fifth Street.

MR. SCHLOTTMAN stated that this project is similar to the Eleventh Street Lofts and Fremont Street Homes and he referenced their demand and success. He provided renderings of the proposed, agreed with all conditions but requested clarification of Condition 6 of Item 41 [ZON-11718].

COMMISSIONER DUNNAM questioned what the target market is for the project and MR. SCHLOTTMAN responded that the project is scheduled to market first-time buyers but not necessarily first-time buyers with families. He provided the demographics associated with interested loft owners.

TOM MCGOWAN, Las Vegas resident, commented on the unique market specific demographics projected for this development and asked what the affordability range would be. He expressed the need for additional research.

RAMON MAET, 2517 Sunrise Street, stated that the Silver Saddle attracts a tremendous crowd on Friday and Saturday nights. This development would contribute to the parking deficiency

and could negatively impact the community as there are not enough commercial resources in the area.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 41 – ZON-11718

MINUTES – Continued:

MR. MAET expressed that he would prefer the site remain commercial.

DARRYL STUCKERT, 27 North Twenty Sixth Street, expressed concern relating to the traffic in the area. He stated that the area needs to be developed but he could only support a less dense proposal. JOEL DRIVER, 2526 Sunrise Street and BEATRICE TURNER, West Las Vegas, concurred with opposing comments related to traffic concerns.

MR. SCHLOTTMAN replied that the site is currently zoned for commercial use and should the land be developed commercially, it would affect the existing traffic concerns more so than the proposed. He stated that the units would be sold at \$150 per foot which is reasonable for the Downtown area. MR. SCHLOTTMAN commented that he has been in contact with neighbors who support the project along with the owner of Silver Saddle who was present.

Upon COMMISSIONER GOYNES' request for clarification about the price points, MR. SCHLOTTMAN responded that the floor plans would consist of 1800 to 2000 square feet units. Overall the price of the individual units are relatively the same starting off at \$300,000 and remaining below \$330,000.

COMMISSIONER TRUESDELL questioned the status of the other aforementioned projects and MR. SCHLOTTMAN confirmed that utilities are complete, retaining walls have been erected but the applicant is awaiting building permits. He further confirmed that all units would be limited to one purchaser until the established interested list is exhausted. MR. SCHLOTTMAN projected that 90 percent of the buyers would occupy the units. COMMISSIONER TRUESDELL stated that community success of such developments largely depends on whether the units are investor driven and monitoring prices and availability is crucial. He supported the project.

JAMES LOPEZ, 8620 South Eastern Avenue, pointed out that MR. SCHLOTTMAN is has planned to purchase a unit from the Fremont Street project.

BART ANDERSON, Public Works, stated that the revised site plan prompts a need to eliminate Condition 3, 4 and 6 from Item 41 [ZON-11718]. MS. WHEELER added a condition to Item 41 [ZON-11718] that approval is for R-PD13. Pertaining to the Variance application, MS. WHEELER stated that the necessary open space provided would be 18,715 square feet where 56,715 square feet are required. This would amend Condition 3 of Item 43 [VAR-11723] to reflect that \$4 per square foot shall be contributed to the Las Vegas Parks CIP Fund. MR. SCHLOTTMAN concurred with all conditions.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 41 – ZON-11718

MINUTES – Continued:

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 41 [ZON-11718], Item 42 [WVR-12176], Item 43 [VAR-11723], Item 44 [VAC-11717] and Item 45 [SDR-11728].

(9:29 – 9:56)

3-280

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-9219) to a Mixed Use land use designation approved by the City Council.
2. A Site Development Plan Review (SDR-11728) application approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. A Petition of Vacation for 25th Street, such as VAC-11717, must record prior to the recordation of a Final Map overlying or abutting the existing right-of-way in conflict with this site plan. A Vacation for the portion of 25th Street within Clark County adjacent to this site shall record concurrently with VAC-11717. Should either vacation not record, this Site Plan shall be rendered as “null and void” and a revised Site Plan shall be submitted to Planning and Development reflecting appropriate right-of-way dedications.
4. Dedicate appropriate right-of-way and obtain right-of-way dedication or easement rights for the full cul-de-sac terminus for 25th Street adjacent to this site and construct appropriate improvements for the cul-de-sac concurrent with development of this site.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. Coordinate with the Collection Systems Planning Section of the Department of Public Works for the relocation and rehabilitation/replacement of the existing public sewer in 25th Street. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 41 – ZON-11718

CONDITIONS – Continued:

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
8. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
9. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public rights-of-way adjacent to this site prior to occupancy of this site.
10. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the public right-of-way adjacent to this site prior to the issuance of any permits.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

WVR-12176 - WAIVER RELATED TO ZON-11718 - PUBLIC HEARING - APPLICANT: INTERURBAN CONSTRUCTION, LLC - OWNER: URBAN LOFTS XIV, LTD. - Request for a Waiver of Title 18.12.100 TO ALLOW 30-FOOT PRIVATE STREETS WHERE 37 FEET IS THE MINIMUM WIDTH REQUIRED on 6.07 gross acres at the northwest corner of 25th Street and Charleston Boulevard (APN 139-35-815-002), C-2 (General Commercial) Zone [PROPOSED: R-PD14 (Residential Planned Development - 14 Units Per Acre) Zone], Ward 3 (Reese).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – additional staff report from the Planning and Development Department for Items 41 – 45 filed under Item 41

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 41 [ZON-11718] for all related discussion.

(9:29 – 9:56)

3-280

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 42 – WVR-12176

CONDITIONS:

Planning and Development

1. The subject Sited Development Plan is contingent upon approval of a General Plan Amendment (GPA-9219) to Mixed Use land use designation, Rezoning (ZON-11718) to a RP-D14 Zoning District, Site Development Plan Review (SDR-11728), Variance (VAR-11723), and Vacation (VAC-11717) approved by the City Council.
2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

Public Works

3. Curbing on one side of the 30-foot private streets shall be constructed of red concrete and “Fire Lane No Parking” signs shall be provided in accordance with the adopted Fire Code (Ordinance #5667) of Section 18.2.2.5.7 to prevent on street parking. The curb coloring and signage shall be privately maintained in perpetuity by the Homeowner’s Association.
4. The design and layout of all onsite private circulation and access drives must comply with all the fire code requirements for the street widths for emergency fire access.
5. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-11718, Site Development Plan Review SDR-11728 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11723 - VARIANCE RELATED TO ZON-11718, AND WVR-12176 - PUBLIC HEARING - APPLICANT: INTERURBAN CONSTRUCTION, LLC - OWNER: URBAN LOFTS XIV, LTD. - Request for a Variance TO ALLOW 11,627 SQUARE FEET OF OPEN SPACE WHERE 61,079 SQUARE FEET IS THE MINIMUM AMOUNT OF OPEN SPACE REQUIRED on 6.07 gross acres at the northwest corner of 25th Street and Charleston Boulevard (APN 139-35-815-002), C-2 (General Commercial) Zone [PROPOSED: R-PD14 (Residential Planned Development - 14 Units Per Acre) Zone], Ward 3 (Reese).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – additional staff report from the Planning and Development Department for Items 41 – 45 filed under Item 41

MOTION:

TRUEDELL – APPROVED subject to conditions, amending Condition 3 as read for the record as follows:

3. In lieu of compliance with the open space requirements of Municipal Code 19.063040, the developer will be allowed to make a contribution To Whom It May Concern: the City of Las Vegas Parks CIP Fund in the amount of \$152,000 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

– UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 43 – VAR-11723

MINUTES:

NOTE: See Item 41 [ZON-11718] for all related discussion.

(9:29 – 9:56)

3-280

CONDITIONS:

Planning and Development

1. The subject Sited Development Plan is contingent upon approval of a General Plan Amendment (GPA-9219) to Mixed Use land use designation, Rezoning (ZON-11718) to a R-PD14 Zoning District, Site Development Plan Review (SDR-11728), Waiver (WVR-12176), and Vacation (VAC-11717) approved by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution To Whom It May Concern: the City of Las Vegas Parks CIP Fund in the amount of \$49,452 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-11717 - VACATION RELATED TO ZON-11718, WVR-12176 AND VAR-11723 - PUBLIC HEARING - APPLICANT: INTERURBAN CONSTRUCTION, LLC - OWNER: URBAN LOFTS XIV, LTD. - Petition to Vacate a portion of 25th Street, generally located between Charleston Boulevard and North Eastern Avenue, Ward 3 (Reese).

SET DATE: 04/05/06

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – additional staff report from the Planning and Development Department for Items 41 – 45 filed under Item 41

MOTION:

TRUESDELL – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 41 [ZON-11718] for all related discussion.

(9:29 – 9:56)

3-280

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-11728 – SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-11718, WVR-12176, VAR-11723 AND VAC-11717 - PUBLIC HEARING - APPLICANT: INTERURBAN CONSTRUCTION, LLC - OWNER: URBAN LOFTS XIV, LTD. - Request for a Site Development Plan Review FOR A PROPOSED 85-LOT SINGLE FAMILY DEVELOPMENT on 6.07 gross acres adjacent to the northwest corner of 25th Street and Charleston Boulevard (APN 139-35-815-002), C-2 (General Commercial) Zone [PROPOSED: R-PD14 (Residential Planned Development - 14 Units Per Acre) Zone], Ward 3 (Reese).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – additional staff report from the Planning and Development Department for Items 41 – 45 filed under Item 41

MOTION:

TRUEDELL – APPROVED subject to conditions, amending the application to 79 lots and amending Condition 3 as read for the record:

3. All development shall be in conformance with the site plan date stamped 03/23/06.
- UNANIMOUS with TROWBRIDGE excused**

To be heard by the City Council on 4/19/2006

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 45 – SDR-11728

MINUTES:

NOTE: See Item 41 [ZON-11718] for all related discussion.

(9:29 – 9:56)

3-280

CONDITIONS:

Planning and Development

1. The subject Site Development Plan Review is contingent upon approval of a General Plan Amendment (GPA-9219) to a Mixed Use land use designation, a Rezoning (ZON-11718) to a RP-D14 Zoning District, a Variance (VAR-11723), a Waiver (WVR-12176), and a Vacation (VAC-11717) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan date stamped 03/08/06, building elevations, date stamped 02/07/06, landscape plans date stamped 03/07/08, except as amended by conditions herein.
4. Each guest parking space shall be designed to comply with minimum parking code requirements, subject to review and approval by the Planning Department.
5. The applicant shall provide a landscaping plan along the east side of the project, on 25th Street between Charleston Boulevard and the main entry of the project, subject to review and approval by the Planning Department.
6. A maximum five-foot encroachment for construction of a balcony or patios along the side and rear yards areas is permitted, subject to compliance with minimum building code requirements and subject to review and approval by the Planning Department.
7. The setbacks for this development shall be a minimum of 3.68 feet to the front of the house, 3.68 feet to the front of the garage as measured from end of private street area provided, 0 feet on the side, 3.66 feet on the corner side, and 4.06 feet in the rear.
8. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect 53 24-inch box trees and 424 five-gallon shrubs provided along street frontages, subject to review and approval by the Planning Department.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 45 – SDR-11728

CONDITIONS – Continued:

9. A permanent underground sprinkler system shall be installed in all common landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
10. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
12. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed.
13. Prior to approval of the Final Map Mylar, two final landscape plans must be submitted for review and approval by the Planning and Development Department in conformance with the conditions of approval.
14. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to comply with the Commercial Development Standards.
15. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
16. Air conditioning units shall not be mounted on rooftops.
17. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
18. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 45 – SDR-11728

CONDITIONS – Continued:

19. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site
20. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
21. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

22. Driveways shall be designed; located and constructed in accordance with Standard Drawing #222a, unless a Deviation from Standards is approved by the City Engineer. The proposed driveway accessing Fremont Street shall also receive approval from the Nevada Department of Transportation.
23. Curbs on at least one side of the proposed private streets shall be constructed of red concrete and “Fire Lane No Parking” signs shall be provided in accordance with the adopted City Code. The curb coloring and signage shall be privately maintained in perpetuity by the Homeowner’s Association.
24. The applicant shall submit and receive approval of a request for a Waiver of Title 18 Private Street Requirements.
25. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
26. A Homeowners’ Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
27. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-11718 and all other subsequent site-related actions.
28. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 45 – SDR-11728

CONDITIONS – Continued:

29. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11683 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RODNEY M. AND VICTORIA R. BROGAN - Request for a Variance TO ALLOW A PROPOSED DETACHED ACCESSORY STRUCTURE TALLER THAN THE PRINCIPAL BUILDING on 0.51 acres at 4240 Jory Trail (APN 138-02-710-002), R-E (Residence Estates) Zone, Ward 6 (Ross).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

9

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – six letters of support submitted by Rodney Brogan

MOTION:

GOYNES – DENIED – UNANIMOUS with EVANS not voting and TROWBRIDGE excused

This is Final Action

MINUTES:

COMMISSIONER TRUESDELL declared the Public Hearing open.

FRED SOLIS, Planning and Development Department stated that the accessory use would be used for RV storage. The proposal meets all requirements except for the height restriction because it exceeds the principal dwelling. As there are no constraints on the property to impose that they construct outside of the requirements, staff recommended denial.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 46 – VAR-11683

MINUTES – Continued:

RODNEY BROGAN, 4240 Jory Trail, explained that the structure would be centered in the back yard of the property to hopefully serve as a buffer to adjacent residents. The proposed would allow a setback of 24 feet with 80 feet total from the side of the building to the adjacent neighbor to the south. There is not an association affiliated with the property and the size of the structure is compatible with the size of the lot. MR. BROGAN submitted six letters of support from surrounding neighbors. He agreed to the conditions related to the application and requested approval.

COMMISSIONER STEINMAN questioned if the renderings of the proposed structure would match that of the principal and MR. BROGAN confirmed it would. MR. BROGAN alluded that the primary construction of the proposed would be constructed of steel while the main home is constructed of stucco. He confirmed that there is no requirement that imposes the structure to be assembled with the same materials. The height would allow the storage of a 14-foot RV.

Upon COMMISSIONER GOYNES' inquiry, MR. BROGAN confirmed the structure would not be as big as another structure that is located off Alexander Road and Maverick Street. COMMISSIONER DUNNAM asked if the neighbor to the south supported the proposal and MARGO WHEELER, Director of Planning and Development, confirmed that a letter was part of the file indicating their opposition of the accessory structure. COMMISSIONER DUNNAM suggested to have the structure closer to the main dwelling unit with a breezeway connecting the two buildings. MR. BROGAN stated that it is his preference not to construct a breezeway to avoid the added fire hazard it would cause.

COMMISSIONER DAVENPORT supported the height request and square footage but disliked the idea of the structure being composed of metal. COMMISSIONER GOYNES concurred and stated that it would be intrusive to the neighborhood.

COMMISSIONER TRUESDELL declared the Public Hearing closed.

(9:56 – 10:04)

3-1168

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-11693 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JIMMIE HILTON AND VELMA HILTON - Request for a Variance TO ALLOW A 43-FOOT FRONT YARD SETBACK FOR A PROPOSED CARPORT AND ENTRY WAY WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 0.59 acres at 1810 Sutro Lane (APN 139-28-110-094), R-E (Residence Estates) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with **EVANS** not voting, **DUNNAM** voting **NO** and **TROWBRIDGE** excused

This is Final Action

MINUTES:

COMMISSIONER TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 47 – VAR-11693

MINUTES – Continued:

FRED SOLIS, Planning and Development Department, reported that the property is on the front setback line and the applicant is proposing a covered entryway and covered carport that would encroach seven feet into the required setback area. He recommended denial as the request is self imposed.

The applicant was not present.

PATTY JACOBS, Bonanza Village resident, stated that the encroachment is not tremendous considering the area consists of large lots. She supported the request.

COMMISSIONER GOYNES was reluctant to motion without the applicant's present but there was no objection. He supported the request.

COMMISSIONER TRUESDELL declared the Public Hearing closed.

(10:04 – 10:07)

3-1495

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11727 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: STEWART CROSSING, LLC - Request for a Variance TO ALLOW 70 PARKING SPACES WHERE 120 PARKING SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED on 1.95 acres at 5051 Stewart Avenue (APN 140-32-701-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – Request to withdraw without prejudice by Stewart Crossing, LLC

MOTION:

TRUESELLE – Motion to HOLD IN ABEYANCE Item 9 [RQR-11403], Item 32 [SDR-11497], Item 76 [SDR-11583], Item 77 [SDR-11676] and Item 80 [DIR-11779] to the 4/13/2006 Planning Commission Meeting; Item 57 [VAR-11943] and Item 58 [SUP-11589] to the 4/27/2006 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 22 [VAR-10781], Item 28 [VAR-11531], Item 48 [VAR-11727] and Item 66 [SUP-11708] – UNANIMOUS with TROWBRIDGE excused

MINUTES:

Regarding Item 48 [VAR-11727], the applicant has requested the item be withdrawn without prejudice. GARY LEOBOLD, Planning and Development Department, supported the request and added that there be a note prohibiting development of the proposed beauty salon for that parcel.

(6:02 – 6:25)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11759 - VARIANCE - PUBLIC HEARING - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY - OWNER: CARDAN LINDELL NORTH, L.L.C. -
Request for a Variance TO ALLOW A PROPOSED 130-FOOT TALL FLAGPOLE WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED on 4.14 acres at 5550 West Sahara Avenue (APN 163-01-404-022), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions and added the following conditions as read for the record:

- Approval is subject to a six-month review.
- The maximum height of the flagpole shall be limited to 100 feet.
- Motion carried with EVANS voting NO and TROWBRIDGE excused

This is Final Action

MINUTES:

COMMISSIONER TRUESDELL declared the Public Hearing open.

FRED SOLIS, Planning and Development Department, explained that Title 19 requires a flag pole to be a maximum of 40 feet whereas the applicant is proposing a pole height of 140 feet. The flag is projected to be 30 by 60 feet and would include a memorial plaque at the base to support members of the armed services. Staff recommended denial of the request.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 49 – VAR-11759

MINUTES – Continued:

CARL MARCELO, Las Vegas Development Company, 4795 South Durango Drive, stated that the allowance would compliment the world's largest Hummer dealership and would serve as a symbol of patriotism in support of troops and veterans.

GARY SWANCIGER, 2270 Westwind Road, stated that the neighbors have met with MR. MARCELO and are in support of the application. He thanked MR. MARCELO for considering the neighborhood's opinion of the request.

VICE CHAIRMAN EVANS remarked that the neighbors might not realize what the sound of a flag of that size would be like when it snaps and waives in the wind. MR. MARCELO stated that the flag would be nearly 1,500 linear feet away from the nearest home and mentioned the noise already produced from traffic at that location. VICE CHAIRMAN EVANS resented the argument that this request serves primarily as a patriotic request. It is apparent that allowing this request would serve as a marketing symbol for the dealership and opposing such request would appear as if patriotism is not encouraged. He stated that the reason given for the size of the flag was disingenuous.

MR. MARCELO argued that there is significant affiliation with the U.S. military and Hummer automobiles and if the dealership were for any other brand of vehicle, he would agree that the proposed would not be appropriate. MR. MARCELO stated that the sale of Hummers is not expected to increase should this proposal receive approval.

GARY LEOBOLD clarified for COMMISSIONER TRUESDELL that when this original site plan was approved that there were conditions imposed restricting outdoor speakers and bells. MR. MARCELO confirmed that if the flag erected was the standard allowed size, there would not be lesser feeling of support attributed to the military. He respectfully requested the Commissioners' consideration. COMMISSIONER TRUESDELL reiterated that the size of the proposed flag snapping in the wind would eventually become a complaint to the neighbors who support the request.

COMMISSIONER DAVENPORT pointed out that this Hummer dealership has received approval for an oversized sign. He related the size of this requested flag to the flag of those belonging to Terrible Herbst's flags and suggested approving the request if MR. MARCELO would agree to lessen the height of the flag pole to the same height as Terrible Herbst's flag poles are. MARGO WHEELER, Director of Planning and Development, confirmed the allowed height of Terrible Herbst's flag poles are a maximum of 100 feet in height. MR. MARCELO agreed to the suggested compromise.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 49 – VAR-11759

MINUTES – Continued:

VICE CHAIRMAN EVANS suggested also imposing a condition to require that the flag be lowered in the evening. MR. MARCELO expressed that the intention is to have the flag raised 24 hours a day but if the neighbors come to realize that the sound of the flag during the evening hours is disruptive, he would agree to a condition requiring that the flag be taken down. MS. WHEELER advised that it would be best to designate a certain hours that the flag be removed to ease enforcement. DEPUTY CITY ATTORNEY BRYAN SCOTT advised that it would be extremely difficult to agree to remove a flag of that size on a daily basis. COMMISSIONER DAVENPORT acknowledged DEPUTY CITY ATTORNEY BRYAN'S point and instead suggested a six-month review.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(10:08 – 10:24)

3-1615

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-4549), Rezoning (ZON-4550), and Site Development Plan Review (SDR-4551).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

Public Works

3. The flagpole shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11644 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: OWENS STAR, LLC - Request for a Variance TO ALLOW 128 PARKING SPACES WHERE 143 SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED on 2.27 acres at 3955 East Owens Avenue (APN 140-30-102-006), N-S (Neighborhood Service) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 04/05/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with DUNNAM voting NO, TRUESDELL not voting and TROWBRIDGE excused

To be heard by the City Council on 4/5/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 50 [VAR-11644] and Item 51 [MSP-11643].

GARY LEOBOLD, Planning and Development Department, stated that the Variance would allow the reduced number of parking spaces in the existing shopping center. The shopping center possesses more parking spaces than required and the applicant provided a parking justification to support the request. Staff remained concerned with the ratios used in the parking analysis and anticipated the remaining parking would be insufficient, potentially impacting on-street parking in the surrounding area. He recommended denial.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 50 – VAR-11644

MINUTES – Continued:

RICHARD MORENO, 300 South Fourth Street, confirmed this use would consist of walk-in traffic. He noted that when the related application to change the zoning to Neighborhood Commercial was before the Commissioners, many constituents were supportive of the request. He pressed that this service would encourage more patrons to walk as there is a nearby condominium unit and apartment complex. He respectfully requested approval.

COMMISSISONER STEINMAN concurred with MR. MORENO’S argument and supported the application.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 50 [VAR-11644] and Item 51 [MSP-11643]

(10:24 – 10:29)

3-2309

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0057-01) and Site Development Plan Review [Z-0057-01(1)].
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

MSP-11643 - MASTER SIGN PLAN - PUBLIC HEARING – APPLICANT/OWNER: OWENS STAR, LLC - Request for a Master Sign Plan FOR A COMMERCIAL DEVELOPMENT on 2.6 acres at 3965 East Owens Avenue (APN 140-30-102-006), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL not voting and TROWBRIDGE excused

To be heard by the City Council on 4/5/2006

MINUTES:

NOTE: See Item 50 [VAR-11644] for all related discussion.

(10:24 – 10:29)

3-2309

CONDITIONS:

Planning and Development

1. Conformance to the sign elevations and documentation as submitted in conjunction with this request, date stamped 02/03/06, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 51 – MSP-11643

CONDITIONS – Continued:

2. No signage is permitted on the south elevations of all three buildings.
3. All signage shall have proper permits obtained through the Building and Safety Department.
4. Any temporary signage must have proper temporary signage permits prior to installation.
5. Any future amendments to the Master Sign Plan which are in compliance with the requirements of Title 19.14 for the subject zoning district may be reviewed and approved administratively by the Planning and Development Department.
6. This approval shall apply to all property addressed as 3955, 3965 and 3975 East Owens Avenue.

Public Works

7. Signs shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.
8. Site development to comply with all applicable conditions of approval for ZON-0057-01(1), and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11710 - VARIANCE - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: MONTECITO MARKETPLACE, LLC, ET AL - Request for a Variance TO ALLOW 1,032 PARKING SPACES WHERE 1,209 PARKING SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED on 21.48 acres at the southeast corner of Durango Drive and Elkhorn Road (APNs 125-20-510-007, 008, 011, and 012), T-C (Town Center) Zone [UC-TC (Urban Center Mixed-Use) Town Center Land Use Designation], Ward 6 (Ross).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – **UNANIMOUS** with **TROWBRIDGE** excused and **TRUESDELL** abstaining because he owns property within the notification area and **DUNNAM** abstaining because he is the engineer of record on property within the notification area and has also negotiated in the past with **JOE GWERDER**

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 52 [VAR-11710] and Item 53 [SDR-11702].

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 52 – VAR-11710

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, gave the history of the site and confirmed that what remains consists of Phase 1 and Phase 2 of the development. The applicant's intention is to add more restaurant space instead of retail space because of the anticipated clientele for the surrounding area. A parking analysis was submitted by the applicant and included corrections. MR. LEOBOLD stated that both phases would be overbuilt in regard to parking and retail space and therefore recommended denial.

BOB GENZER, Genzer Consulting, appeared with JOE GWERDER, Montecito Companies, 6600 West Charleston Boulevard. MR. GENZER referenced a map of the original site plan and noted that the new layout is far superior because of the removal of two retail centers within the parking area because it promotes better circulation. He specified that approximately 30,000 square feet of retail use would be replaced with 3,100 square feet of restaurant space and noted that the Floor Area Ratio for Town Center is relatively high, which makes it difficult to meet parking requirements. MR. GENZER projected that a significant amount of visitors would be walking to the site given the surrounding uses.

TOM McGOWAN, Las Vegas resident, acknowledged the applicant's effort to propose such a development. He questioned what the principal selling point for the project would be and how long the applicant could assume that the amount of visitors would be walking to the project.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 52 [VAR-11710] and Item 53 [SDR-11702].

(10:29 – 10:40)

3-2516

CONDITIONS:

Planning and Development

1. The Variance shall be for 177 parking spaces on Phases I and II only; otherwise, the development shall be redesigned to comply with Title 19 parking standards.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-11702).
3. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-11702 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-11710 - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: MONTECITO MARKETPLACE, LLC, ET AL - Request for a Major Amendment to an approved Site Development Plan Review (SDR-5731) TO ALLOW THE MODIFICATION OF PADS G, I THROUGH O, R, U, AND V on 21.48 acres at the southeast corner of Durango Drive and Elkhorn Road (APNs 125-20-510-007, 008, 011, and 012), T-C (Town Center) Zone [UC-TC (Urban Center Mixed-Use) Town Center Land Use Designation], Ward 6 (Ross).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – **UNANIMOUS** with **TROWBRIDGE** excused and **TRUESDELL** abstaining because he owns property within the notification area and **DUNNAM** abstaining because he is the engineer of record on property within the notification area and has also negotiated in the past with **JOE GWERDER**

To be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 52 [VAR-11710] for all related discussion.

(10:29 – 10:40)

3-2516

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 53 – SDR-11702

CONDITIONS:

Planning and Development

1. A Variance (VAR-11710) to allow a reduction in the amount of required parking on the site.
2. Conformance to the conditions of approval of Site Development Plan Reviews SDR-3764, SDR-5731, Rezoning ZON-3840, and Major Modification MOD-3763 except as amended by conditions herein.
3. All development shall be in conformance with the site plan and building elevations, date stamped 03/15/06, except as amended by conditions herein.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect handicapped striping in conformance to Title 19.10 requirements.
6. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

7. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 53 – SDR-11702

CONDITIONS – Conditions:

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
9. Site development to comply with all applicable conditions of approval for Z-0076-98 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11712 - VARIANCE - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: BIG MAMA'S COOKING OR KITCHEN, INC., ET AL - Request for a Variance TO ALLOW 400 PARKING SPACES WHERE 493 PARKING SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Plan revision comparison report by Applicant

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with EVANS and DUNNAM voting NO and TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 54 [VAR-11712], Item 55 [VAR-11714] and Item 56 [SDR-11707].

MARIO SUAREZ, Deputy Director of Planning and Development, stated that this proposal

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 54 – VAR-11712

MINUTES – Continued:

reflects less stories from the original proposal. He referenced backup material that contains a comparison of the project and includes an update on the Floor Area Ratio (FAR). A substantial amount of square footage was retained for parking and is the reason why the FAR was reduced by so little. MR. SUAREZ stated that there are no special circumstances that can be supported by staff and he recommended denial.

STEPHANIE MACKEEN, Moran and Associates, 630 South Fourth Street, appeared with DARGAN and DEMETRIUS McWHORTER, Rosebud Development, 2230 West Bonanza Road. She referenced the initial mixed-use development of the same site that obtained approval from the City Council. The project would replace Big Mama's Rib Shack and would consist of 10,000 square feet of office and retail and 329 residential units. ATTORNEY MACKEEN stated that the current proposal would replace the previous site plan in order to significantly reduce the size of the project to better suit the area. MR. DEMETRIUS McWHORTER clarified that the new proposal would correlate with the area as it is part of the Redevelopment area. He pointed out the changes projected and requested approval.

TOM McGOWAN, Las Vegas resident, stated that Big Mama's Rib Shack is well known for their food products and he encouraged quality community development. He supported the request.

DANIEL DEEGAN, 1801 Granite Avenue, appeared on behalf of Rancho Manor Neighborhood association. The association has followed the status of this project, and, in respect to suitability, he supported the revisions. MR. DEEGAN suggested that future developers conduct more community awareness but thanked the applicant for their efforts to consider the neighborhood's compatibility.

BILL HIGH, 1940 Mills Circle, appeared in opposition because a mixed-use development should be coordinated with community infrastructure. The applicant did not involve the community when considering compromises. MR. HIGH encouraged the Commissioners to consider the lack of infrastructure before approving a project of this magnitude.

PATTY JACOBS, West Las Vegas, concurred with the opposing comments pertaining to the magnitude of the project and existing traffic concerns. While revisions were made, she still did not support the proposal.

SHONDRA ARMSTRONG, Bonanza Village resident, expressed concern for the waivers

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 54 – VAR-11712

MINUTES – Continued:

requested and stated that the project is not compatible for the area. MS. ARMSTONG voiced disappointment because other mixed-use developments have presented a much higher quality and that same burden is not enforced upon developers for this area of town. She requested the proposal be denied. MS. ARMSTRONG stated that the density is too high for the community and existing traffic concerns. She encouraged better quality of development for west Las Vegas and the Redevelopment area.

ATTORNEY MACKEEN responded that an Independent Environmental Impact Assessment was conducted revealing that a denser project could be considered appropriate for the area. While the traffic concerns remain, ATTORNEY MACKEEN pointed out that the transportation and traffic analysis provided determined that the proposed would not increase hazards. The site would provide access to Bonanza Road which is capable of accommodating the amount of traffic proposed and, furthermore, Bonanza Road is projected to be widened. BART ANDERSON, Public Works, confirmed the widening of Bonanza Road.

MR. DEMETRIUS McWHORTER stated that the property across Dike Lane is zoned R-1 which proves that there are no residential adjacency issues associated with Dike Lane and referenced a letter received by Cox Communications that indicated their intent to develop the land with commercial uses. He agreed that this area is in need of quality development and argued that this project is a reflection of a superior and high caliber project. In an effort to present quality affordable units, he noted that the prices will range from approximately \$200,000 to \$400,000.

COMMISSIONER STEINMAN questioned why the revisions were unable to meet setback standards. MR. DEMETRIUS McWHORTER replied that in order to accommodate parking requirements in an irregular shaped lot, the setback standards were affected. He detailed the site plan via renderings and stated that Big Mamma's Rib Shack is planned to occupy the retail portion of the project.

In response to COMMISSIONER STEINMAN'S inquiry, MR. ANDERSON stated that a signal light at Dike Lane is not anticipated because of its close proximity to Rancho Drive. A signal light would only be considered if an accident history or significant volumes were generated to justify the need for a signal light.

COMMISSIONER GOYNES applauded the developer for taking the initiative to address previous concerns by modifying a project that already received approval. The applicant has displayed admirable efforts and sets a high standard for what should be expected of other

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 54 – VAR-11712

MINUTES – Continued:

developers. He commended the project's quality and design and supported the applications.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 54 [VAR-11712], Item 55 [VAR-11714] and Item 56 [SDR-11707].

(10:40 – 11:09)

3-305

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-11707) and Variance (VAR-11714).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11714 - VARIANCE RELATED TO VAR-11712 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: BIG MAMA'S COOKING OR KITCHEN, INC., ET AL - Request for a Variance TO ALLOW A 6.8-FOOT REAR-YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, TO ALLOW A 2.3-FOOT SIDE-YARD SETBACK WHERE TEN FEET IS THE MINIMUM SETBACK REQUIRED, TO ALLOW A FIVE-FOOT CORNER-YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK ALLOWED, TO ALLOW A MAXIMUM LOT COVERAGE OF 83.6 PERCENT WHERE 50 PERCENT IS THE MAXIMUM LOT COVERAGE ALLOWED, AND TO ALLOW A REDUCTION OF BUILDING STEP-BACK REQUIREMENTS FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Plan revision comparison report by Applicant for Items 54, 55 and 56 filed under 54

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with **EVANS** and **DUNNAM** voting **NO** and **TROWBRIDGE** excused

To be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 54 [VAR-11712] for all related discussion.

(10:40 – 11:09)

3-3050

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 55 – VAR-11714

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-11707) and Variance (VAR-11712).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-11707 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-11712 AND VAR-11714 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: BIG MAMA'S COOKING OR KITCHEN, INC., ET AL - Request for a Site Development Plan Review FOR A PROPOSED 12-STORY MIXED-USE DEVELOPMENT CONSISTING OF 300 RESIDENTIAL UNITS AND 10,000 SQUARE FEET OF COMMERCIAL SPACE, WITH WAIVERS TO ALLOW A REDUCTION OF PERIMETER LANDSCAPE REQUIREMENTS, AND TO ALLOW A TEN-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 540 FEET IS THE MINIMUM SETBACK REQUIRED on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Plan revision comparison report by Applicant for Items 54, 55 and 56 filed under 54

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with **EVANS** and **DUNNAM** voting **NO** and **TROWBRIDGE** excused

To be heard by the City Council on 4/19/2006

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 56 – SDR-11707

MINUTES:

NOTE: See Item 54 [VAR-11712] for all related discussion.

(10:40 – 11:09)

3-3050

CONDITIONS:

Planning and Development

1. Related Variances (VAR-11712 and 11714) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan date stamped 03/06/06, and building elevations and landscape plans date stamped 02/07/06, except as amended by conditions herein.
4. Waivers from Perimeter Landscaping and Residential Adjacency Standards are hereby approved to allow a reduction of perimeter buffering along the east and west property lines, to allow 39 perimeter trees where 57 are required, and a 2.3-foot Residential Adjacency setback, where 580 feet is required.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for building permit, to reflect an eight-foot screen wall along the north and east property lines.
6. The conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a Pedestrian Path along Bonanza Road as required by the Transportation Trails Element of the City of Las Vegas 2020 Master Plan. The path should consist of a five-foot path in the right-of-way, and a five-foot landscaped transition strip on the subject site. The property owner will be responsible for the maintenance of the trail.
7. Additional review of the proposed signage will be required when a more detailed signage plan is available for the site. All signage must comply with Title 19.14 of the Las Vegas Municipal Code.
8. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 56 – SDR-11707

CONDITIONS – Continued:

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. The elevations shall be approved by Planning and Development Department staff, prior to the time application is made for a building permit, to ensure that the proposed color palette is in conformance with the Commercial Development Standards outlined in Title 19.08. Buildings shall be finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds. Black, white and bright colors are not acceptable except as trim or accent colors on architectural details. Fluorescent colors are prohibited.
12. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance of 22% (as defined by the National Institute of Standards and Technology).
13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
15. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
16. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
17. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 56 – SDR-11707

CONDITIONS – Continued:

18. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

19. Coordinate with the City Surveyor to determine the appropriate mapping method for this site prior to the issuance of any permits or the submittal of a Map subdividing this site; comply with the recommendations of the City Surveyor. Grant a traffic signal chord easement on the northeast corner of Dike Lane and Bonanza Road.
20. Construct all incomplete half-street improvements on Dike Lane adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Also, remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
21. Clarify the 20-foot wide easement shown on the east edge of this site plan; to whom is it granted and for what purpose. If it is existing, show book and page of the instrument which granted it.
22. Landscape and maintain all unimproved rights-of-way, if any, on Bonanza Road and Dike Lane adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Bonanza Road and Dike Lane public rights-of-way adjacent to this site prior to occupancy of this site.
24. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Bonanza Road public right-of-way adjacent to this site prior to the issuance of any permits.
25. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine offsite relief sewer requirements in Bonanza Road necessary to meet the demands of this development. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 56 – SDR-11707

CONDITIONS – Continued:

26. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
27. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
28. Site development to comply with all applicable conditions of approval for ZON-6510 and all other applicable site-related actions.
29. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 56 – SDR-11707

CONDITIONS – Continued:

drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-11943 - VARIANCE - PUBLIC HEARING - APPLICANT: HYUNJA KANG - OWNER: WATKINS INVESTMENTS, LIMITED PARTNERSHIP - Request for a Variance TO ALLOW 518 PARKING SPACES WHERE 576 PARKING SPACES IS THE MINIMUM SPACES REQUIRED on 4.24 acres at 4821 West Craig Road (APN 138-01-712-006), C-1 (Limited Commercial) Zone, Ward 6 (Ross).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Abeyance request by Attorney Jay Brown
- 6.

MOTION:

TRUESDELL – Motion to **HOLD IN ABEYANCE** Item 9 [RQR-11403], Item 32 [SDR-11497], Item 76 [SDR-11583], Item 77 [SDR-11676] and Item 80 [DIR-11779] to the 4/13/2006 Planning Commission Meeting; Item 57 [VAR-11943] and Item 58 [SUP-11589] to the 4/27/2006 Planning Commission Meeting; **WITHDRAW WITHOUT PREJUDICE** Item 22 [VAR-10781], Item 28 [VAR-11531], Item 48 [VAR-11727] and Item 66 [SUP-11708] – **UNANIMOUS** with **TROWBRIDGE** excused

MINUTES:

Related items 57 [VAR-11943] and 58 [SUP-11589] have been requested by the applicant to be held in abeyance to the 4/27/2006 Planning Commission meeting in order to conduct a neighborhood meeting, and staff supported the request.

(6:02 – 6:25)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-11589 - SPECIAL USE PERMIT RELATED TO VAR-11943 - PUBLIC HEARING - APPLICANT: HYUNJA KANG - OWNER: WATKINS INVESTMENTS, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A PROPOSED SWAP MEET at 4821 West Craig Road (APN 138-01-712-006 and 008), C-1 (Limited Commercial) Zone, Ward 6 (Ross).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Abeyance request by Attorney Jay Brown for Items 57 and 58 filed under 57

MOTION:

TRUESELLE – Motion to HOLD IN ABEYANCE Item 9 [RQR-11403], Item 32 [SDR-11497], Item 76 [SDR-11583], Item 77 [SDR-11676] and Item 80 [DIR-11779] to the 4/13/2006 Planning Commission Meeting; Item 57 [VAR-11943] and Item 58 [SUP-11589] to the 4/27/2006 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 22 [VAR-10781], Item 28 [VAR-11531], Item 48 [VAR-11727] and Item 66 [SUP-11708] – UNANIMOUS with TROWBRIDGE excused

MINUTES:

Related items 57 [VAR-11943] and 58 [SUP-11589] have been requested by the applicant to be held in abeyance to the 4/27/2006 Planning Commission meeting in order to conduct a neighborhood meeting, and staff supported the request.

(6:02 – 6:25)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-11399 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: DAVID J. WILLDEN AND LOLITA JEAN WILLDEN, ET AL - Required Two-Year Review of an approved Special Use Permit (SUP-3114) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4545 West Sahara Avenue (APN 162-07-101-005), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the April 27, 2006 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Action Letter for SUP-3114
5. Submitted at meeting – Abeyance request by Clear Channel

MOTION:

TRUEDELL – APPROVED subject to conditions – Motion carried with EVANS voting NO and TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, described that shortly after the original use was approved, a fire destroyed the existing building on the site. The remaining billboard does not conform to the approved site plan, currently contains illegal embellishment

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 59 – RQR-11399

MINUTES – Continued:

with words and graffiti exists on the pole. MR. LEOBOLD pointed out a condition of approval would require that the Special Use Permit be reviewed in one year and another condition imposing the applicant to provide proof of the approved final inspection to the Department of Building and Safety. He recommended denial.

TREVOR HAYES, 300 South Fourth Street, appeared on behalf of the applicant. MR. HAYES acknowledged staff's concern with the sign but noted that the billboard complies with all other Code requirements. He respectfully requested approval.

COMMISSIONER TRUESDELL recollected that originally he did not support the sign because of its close proximity to the destroyed building. If the applicant can assure to bring the sign up to every standard, he would support the application. MR. HAYES agreed to adhere to requirements.

COMMISSIONER STEINMAN requested clarification about what classifies a sign embellishment. MR. LEOBOLD responded that embellishments consist of a continuation of an image which projects off the standard rectangular shape of the billboard.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(11:09 – 11:13)

4-591

CONDITIONS:

Planning and Development

1. The illegal embellishment shall be removed within 10 days of final approval.
2. A final inspection of the off-premise sign must be completed and approved within 30 days of final approval of this request.
3. Special Use Permit SUP-3114 shall be reviewed in one (1) year, at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.
4. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 59 – RQR-11399

CONDITIONS – Continued:

5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
6. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-11401 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: SAHARA WESTWOOD HOTEL, LLC -
Required Two-Year Review of an approved Special Use Permit (SUP-3140) FOR A 55-FOOT TALL, 26-FOOT X 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2601 Westwood Drive (APN 162-09-102-005), M (Industrial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the April 27, 2006 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Action Letter for SUP-3140
5. Submitted at meeting – Abeyance request by Clear Channel for Items 59, 60 and 61 filed under 59

MOTION:

TRUEDELL – APPROVED subject to conditions with a three year review – **UNANIMOUS** with **TROWBRIDGE** excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 60 – RQR-11401

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, stated that this sign is an excessive size considering the sign's location and visibility to the I-15 freeway. He acknowledged a condition of approval that would recommend the Special Use Permit be reviewed in one year and another condition for the applicant to provide proof of the approved Final Inspection to the Department of Building and Safety.

TREVOR HAYES, 300 South Fourth Street, argued that the sign's close proximity to the I-15 is what deems the height an acceptable deviation from the standard. If the sign were smaller, it would not be visible from the freeway. He requested approval.

COMMISSIONER TRUESDELL requested clarification of the aforementioned conditions of approval and MR. LEOBOLD confirmed that the review is requested in light of continuing development in the area. COMMISSIONER TRUESDELL suggested a three-year review and MR. HAYES agreed with all conditions.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(11:13 – 11:17)

4-745

CONDITIONS:

Planning and Development

1. A final inspection of the off-premise sign must be completed and approved within 30 days of final approval of this request.
2. Special Use Permit SUP-3140 shall be reviewed in one (1) year, at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 60 – RQR-11401

CONDITIONS – Continued:

5. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-11404 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: MARTIN W. GREENWALD -
Required Two-Year Review of an approved Special Use Permit (U-0237-94) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4850 North Rancho Drive (APN 125-35-401-004), C-2 (General Commercial) Zone, Ward 6 (Ross).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the April 27, 2006 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Action Letters for U-0237-94(1) and U-0237-94(2)
5. Submitted at meeting – Abeyance request by Clear Channel for Items 59, 60 and 61 filed under 59

MOTION:

STEINMAN – DENIED – Motion carried with GOYNES voting NO and TROWBRIDGE excused

NOTE: COMMISSIONER DUNNAM disclosed that he would vote although he is the engineer of record on a parcel south of the subject property.

This is Final Action

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 61 – RQR-11404

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, stated that the continued use of the off-premise sign is inappropriate because of its location within the Off-Premise Exclusionary Zone. The sign currently contains an illegal embellishment and graffiti and he recommended denial.

TREVOR HAYES, 300 South Fourth Street, explained that this sign was recently purchased by Clear Channel Outdoor who voluntarily contacted the City about the review after confirmation that the sign had not been reviewed in several years. The applicant is amenable to removing the embellishments and graffiti and otherwise is not negatively intrusive. He requested approval.

COMMISSIONER DAVENPORT requested clarification from staff about the Off-Premise Exclusionary Zone. MR. LEOBOLD explained that the sign originated before the establishment of the Off-Premise Exclusionary Zone and advised that it is the Commissioners' discretion to approve the application.

COMMISSIONER STEINMAN commented that most of the area along Rancho Drive is saturated with illegal signs and because of the difficulty in enforcing compliance, he suggested they be removed.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(11:17 – 11:21)

4-855

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-11432 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: BEARD FAMILY TRUST - Required Two-Year Review of an approved Variance (V-0136-95) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE SUCH USE WAS NOT PERMITTED at 3920 West Sahara Avenue (APN 162-06-801-005), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Action Letter for V-0136-95(1)

MOTION:

TRUESEL – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 62 – RQR-11432

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, gave the history of the sign's origination and noted that in 1997 the property was rezoned to Limited Commercial (C-1) requiring a Special Use Permit for the sign. The sign is legally non-conforming because of the lack of a Special Use Permit but is compatible with the location and is in compliance. He noted that the sign has minor graffiti that needs to be removed and otherwise recommended approval.

SCOTT NAFTZGER, 1863 Helm Drive, appeared on behalf of the applicant and requested approval.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(11:22 – 11:24)

4-1024

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) year(s) at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. Remove all graffiti within 30 days from the approval date of this application. Thereafter, The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. Only one advertising sign is permitted per sign face.
5. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 62 – RQR-11432

CONDITIONS– Continued:

6. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

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DISCUSSION

SUBJECT:

SUP-11588 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DANNY CHEN - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER - Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT; A WAIVER TO ALLOW 24-HOUR OPERATION AND A WAIVER FROM THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM A RESIDENTIAL USE at 4911 Alta Drive (APN 138-36-701-018), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

3

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – UNANIMOUS with TROWBRIDGE excused and DAVENPORT abstaining because the property is owned by his neighbor

This is Final Action

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

MARIO SUAREZ, Deputy Director of Planning and Development, stated that the request consists of a waiver of the 24 hour restriction and the separation distance. The application has previously been denied due to incompatibility with the neighborhood and since there has been no modifications. MR. SUAREZ recommended denial.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 63 – SUP-11588

MINUTES – Continued:

ALEX YOUNG, Interpreter for DANNY CHEN, stated that the business would accommodate many people and benefit the City as a whole as Las Vegas operates 24 hours a day.

VICE CHAIRMAN EVANS pointed out distance and proliferation issues for the area and suggested that the business could find another location where these issues are not a factor.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(11:24 – 11:29)

4-1097

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-11638 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GOLF GALAXY, INC. - OWNER: THREE BS, INC. - Request for a Special Use Permit FOR A PROPOSED SECONDHAND DEALER at 8621 West Charleston Boulevard (APN 163-05-517-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

NOTE: COMMISSIONER STEINMAN disclosed that he is a member of the Board of Directors of Sun City Summerlin, which has hired the law firm Kummer Kaempfer Bonner Renshaw & Ferarrio to do legal work in the case of drafting a lease for facilities on their properties. Because their work is not related to land use, he felt it would not affect his opinion and would vote on the matter.

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 64 – SUP-11638

MINUTES – Continued:

MARIO SUAREZ, Deputy Director of Planning and Development, stated that the proposed business requires a Special Use Permit and since the project is compatible with the area, he recommended approval.

ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and requested approval.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(11:29 – 11:31)

4-1305

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Secondhand Dealer use.
2. Approval of and conformance to the Conditions of Approval for Rezoning Z-0102-86 and Site Development Plan Review Z-0102-86(6).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-11669 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BEHAVIORAL HEALTHCARE OPTIONS, INC. - OWNER: LONGFORD MEDICAL CENTER, LLC - Request for a Special Use Permit FOR A PROPOSED FACILITY TO PROVIDE TESTING, TREATMENT, OR COUNSELING FOR DRUG OR ALCOHOL ABUSE at 7455 West Washington Avenue (APN 138-27-301-020), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

This is to be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 65 – SUP-11669

MINUTES – Continued:

MARIO SUAREZ, Deputy Director of Planning and Development, stated the proposed is appropriate for the use and he recommended approval.

BILL GODFREY, 9520 Coral Way, appeared with CHRIS MURTAGH, Longford Medical Center, appreciated staff's recommendation and requested approval.

TOM McGOWAN, Las Vegas resident, stated that since the use is compatible with other uses he supported the request.

COMMISSIONER DAVENPORT agreed that the use would benefit the location and he supported the application.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(11:31 – 11:34)

4-1361

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
2. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-11708 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: KOSTER FINANCE, LLC - OWNER: CHERNG FAMILY TRUST - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED AND WAIVERS OF 1,000-FOOT DISTANCE SEPARATION REQUIREMENT FROM ANOTHER FINANCIAL INSTITUTION, SPECIFIED AND THE 200-FOOT DISTANCE SEPARATION REQUIREMENT FROM A RESIDENTIAL USE at 4416 East Bonanza Road (APN 140-29-401-003), R-1 (Single-Family Residential) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be WITHDRAWN WITHOUT PREJUDICE.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

TRUEDELL – Motion to HOLD IN ABEYANCE Item 9 [RQR-11403], Item 32 [SDR-11497], Item 76 [SDR-11583], Item 77 [SDR-11676] and Item 80 [DIR-11779] to the 4/13/2006 Planning Commission Meeting; Item 57 [VAR-11943] and Item 58 [SUP-11589] to the 4/27/2006 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 22 [VAR-10781], Item 28 [VAR-11531], Item 48 [VAR-11727] and Item 66 [SUP-11708] – UNANIMOUS with TROWBRIDGE excused

MINUTES:

Pertaining to Item 66 [SUP-11708], the applicant did not wish to proceed with the request and requested the item be withdrawn without prejudice. Staff supported the request.

(6:02 – 6:25)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

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DISCUSSION

SUBJECT:

SUP-11640 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: SHADOW HILLS PLAZA, LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) ON PAD "E" OF AN APPROVED COMMERCIAL DEVELOPMENT (SDR-5733) on 0.10 acres of an 11.64-acre site at the northwest corner of Cheyenne Avenue and Shady Timber Street (APNs 137-12-817-002 and 005), U (Undeveloped) Zone [PCD (Planned Community Development) Master Plan Designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation], Ward 4 (Brown).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 67 [SUP-11640] and Item 68 [SDR-11639].

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 67 – SUP-11640

MINUTES –Continued:

GARY LEOBOLD, Planning and Development Department, reported that the site plan review proposes some minor modifications to the building footprint, parking layouts, and traffic circulation of SDR-3651 for the overall project that was approved May 2004. He stated that the proposed liquor establishment would now be located on the southwest corner of the site and Pad H would be relocated to the interior of the development. As there are no waivers requested, adequate landscaping is provided and is in conformance with the Lone Mountain Master Plan, he noted conditions of approval and recommended approval.

RICHARD RUNYEN, Nadel Architects, 7180 South Dean Martin Drive, appeared on behalf of the applicant and agreed with all conditions of approval. He acknowledged that two plazas are required and being that Wal-Mart currently has one plaza his proposal would include the second. MR. LEOBOLD confirmed that two plazas are required for the overall development. For clarification, MR. RUNYEN defined a plaza to be a shaded employee patio area. MR. LEOBOLD confirmed that is the definition according to the Lone Mountain Master Plan.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 67 [SUP-11640] and Item 68 [SDR-11639].

(11:34 – 11:39)

4-1466

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Liquor Establishment (Tavern) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-11639).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 67 – SUP-11640

CONDITIONS –Continued:

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-11639 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-11640 - PUBLIC HEARING - APPLICANT/OWNER: SHADOW HILLS PLAZA, LLC - Request for a Site Development Plan Review FOR THE PROPOSED MODIFICATION OF PARKING, CIRCULATION, AND PADS A, B, C, D, E, F, AND H OF AN APPROVED COMMERCIAL DEVELOPMENT on 6.76 acres of an 11.64-acre site at the northwest corner of Cheyenne Avenue and Shady Timber Street (APN 137-12-817-002, and 005), U (Undeveloped) Zone [PCD (Planned Community Development) Master Plan Designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation], Ward 4 (Brown).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions – **UNANIMOUS** with **TROWBRIDGE** excused

To be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 67 [SUP-11640] for all related discussion.

(11:34 – 11:39)

4-1466

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 68 – SDR-11639

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-11640) for a proposed Liquor Establishment (Tavern) by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan and building elevations, date stamped 02/03/06, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to include at least two employee patio areas located on the site in accordance with Section 5.3.5 of the Lone Mountain Master Development Plan.
5. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance of 22% (as defined by the National Institute of Standards and Technology).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 68 – SDR-11639

CONDITIONS – Continued:

11. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
15. Site development to comply with all applicable conditions of approval for SDR-3651 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-11104 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
FOUSTON JORDAN - Request for a Special Use Permit FOR A PROPOSED
CHURCH/HOUSE OF WORSHIP at 1230 West Adams Avenue (APN 139-28-607-009), R-1
(Single Family Residential) Zone, Ward 5 (Weekly).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

**TRUEDELL – DENIED – Motion carried with DAVENPORT and STEINMAN voting
NO and TROWBRIDGE excused**

To be heard by the City Council on 4/19/2006

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 69 [SUP-11104] and
Item 70 [SDR-11103].

GARY LEOBOLD, Planning and Development Department, stated there to be over saturation of
churches in the area and further development could generate added traffic concerns during
worship hours. He also noted contradicting permits as premature church renovations took place
and recommended denial for both applications.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 69 – SUP-11104

MINUTES – Continued:

REVEREND FOUSTON JORDAN, Church of Living Waters Ministries, stated that when he purchased the property, a duplex was added for the purpose of converting it to church uses. He referenced his experience as the director of one of the largest black-ethnic church community for 25 years while teaching for 14 years. He recommended approval.

GEORGE CLINE, SR., building contractor, gave the history of how his wife had a vision to convert this property to a church facility. After taking his wife's premonition into account, he sold the property for less to see that this property fulfills her vision. He asked the Commissioners' to consider their intentions and requested support of the application.

TOM McGOWAN, Las Vegas resident, believed in the applicant's intent and supported the application.

BEATRICE TURNER, West Las Vegas, opposed additional saturation of churches in the community and requested denial of the application.

COMMISSIONER DUNNAM pointed out a deficiency in parking according to the number of seats provided, and being that the structure was intended for residential use, he did not support the request.

REVEREND JORDAN confirmed that he would provide the necessary amount of seating to satisfy Code compliance.

VICE CHAIRMAN EVANS remarked on the deceitful actions of prematurely modifying the building. REVEREND JORDAN explained that he realized the actions were premature after they had begun modifications.

COMMISSIONER GOYNES concurred with over saturation issues and additional traffic problems. He did not support the application.

COMMISSIONER TRUESDELL acknowledged west Las Vegas to be a delicate area as it is in dire need of revitalization and quality development. He recognized the intent to promote spiritual beliefs but commented that continued development of churches is not advantageous to west Las Vegas and did not support the request.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 69 [SUP-11104] and Item 70 [SDR-11103].

(11:39 – 11:56)
4-1667

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-11103 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-11104 - PUBLIC HEARING - APPLICANT/OWNER: FOUSTON JORDAN - Request for a Site Development Plan Review FOR THE CONVERSION OF A RESIDENCE TO A CHURCH/HOUSE OF WORSHIP on 0.60 acres at 1230 West Adams Avenue (APN 139-28-607-009), R-1 (Single Family Residential) Zone, Ward 5 (Weekly).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – DENIED – Motion carried with DAVENPORT and STEINMAN voting NO and TROWBRIDGE excused

This is to be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 69 [SUP-11104] for all related discussion.

(11:39 – 11:56)

4-1667

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-11711 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GNLV CORPORATION, ET AL - Request for a Special Use Permit FOR A PROPOSED 12,000 SQUARE FOOT EXPANSION OF NON-RESTRICTED GAMING USE IN CONJUNCTION WITH A PROPOSED HOTEL CASINO PROJECT at 129 East Fremont Street (APNs 139-34-210-032, 045; 139-34-11-039, 040 and 041), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – a letter of approval from the Federal Aviation Administration submitted by Attorney Chris Kaempfer

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

NOTE: COMMISSIONER STEINMAN disclosed that he is a member of the Board of Directors of Sun City Summerlin, which has hired the law firm Kummer Kaempfer Bonner Renshaw & Ferarrio to do legal work in the case of drafting a lease for facilities on their properties. Because their work is not related to land use, he felt it would not affect his opinion and would vote on the matter.

This is to be heard by the City Council on 4/19/2006

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 71 – SUP-11711

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open for Item 71 [SUP-11711], Item 72 [SUP-11713], Item 73 [VAC-11715] and Item 74 [SDR-11705].

MARIO SUAREZ, Deputy Director of Planning and Development, stated that this proposal would replace the existing valet garage along Casino Center Drive. The new tower would be built to house 600 new hotel rooms and, as designed, complies with the Downtown Centennial Plan. He noted additional conditions associated with the Vacation, pointed out the new tower will match the existing towers and recommended approval.

ATTORNEY CHRIS KAEMPFER, 3800 Howard Hughes Parkway, appeared on behalf of Landry's Golden Nugget and explained that this proposal would refine the recently approved project. ATTORNEY KAEMPFER detailed that Item 71 [SUP-11711] would allow gaming to take place in the expansion and approval of Item 72 [SUP-11713] would allow the tower height to be 400 feet. ATTORNEY KAEMPFER submitted a letter of support for the proposed height from the Federal Aviation Administration. He explained that an additional 1,800 square feet is needed to allow an exit stairway as per the suggestion from staff and he depicted renderings to validate the request. He requested clarification about the conditions of approval coupled with the Vacation and was provided with revisions to better explain the conditions of approval for the Vacation.

In respect to Item 74 [SDR-11705], he pointed out that the applicant has preserved the pedestrian walkway from First Street to Fremont Street, and welcomed further suggestions, if necessary, to satisfy Condition 5 of Item 74. ATTORNEY KAEMPFER acknowledged a conflict with the request to install a firewall and MARGO WHEELER, Director of Planning and Development, suggested ATTORNEY KAEMPFER meet with appropriate staff to obtain proper guidance to that respect as the Planning Commission is unable to waive fire or building Code requirements. ROBERT KIM, 3800 Howard Hughes Parkway, confirmed conversing with the Building Department about the conflict and it was suggested to have the City Council waive those requirements. MS. WHEELER suggested requesting a hearing at the Building Department and if apprehensions are not satisfied, one may appeal at the City Council level as a separate action. ATTORNEY KAEMPFER concluded that it was due process to acknowledge this concern at the Planning Commission meeting and, aside from that, all conditions would be satisfied.

TOM McGOWAN, Las Vegas resident, encouraged resolution of the firewall concerns and questioned if any bus routes would be affected by the proposed. He supported the project.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 71 – SUP-11711

MINUTES – Continued :

COMMISSIONER DUNNAM pointed out that the parking deficiency of 32 percent to which GARY LEOBOLD, Planning and Development Department, replied that parking exemptions exist as part of the Downtown Centennial Plan.

MS. WHEELER noted an amendment to the date stamp of the site plan and building elevations to be 3/08/06.

VICE CHAIRMAN EVANS declared the Public Hearing closed for Item 71 [SUP-11711], Item 72 [SUP-11713], Item 73 [VAC-11715] and Item 74 [SDR-11705].

(11:57 – 12:16)

4-2426

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the non-restricted gaming use.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-11713), Site Development Plan Review (SDR-11705), and Vacation (VAC-11715).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-11713 - SPECIAL USE PERMIT RELATED TO SUP-11711 - PUBLIC HEARING - APPLICANT/OWNER: GNLV CORPORATION, ET AL - Request for a Special Use Permit FOR A PROPOSED 407-FOOT HIGH BUILDING WITHIN THE 200-FOOT RESTRICTION OF THE NORTH LAS VEGAS AIRPORT OVERLAY DISTRICT at 129 East Fremont Street (APNs 139-34-210-032, 045; 139-34-11-039, 040 and 041), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – a letter of approval from the Federal Aviation Administration submitted by Attorney Chris Kaempfer for Item 71 – 74 filed under Item 71

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

NOTE: COMMISSIONER STEINMAN disclosed that he is a member of the Board of Directors of Sun City Summerlin, which has hired the law firm Kummer Kaempfer Bonner Renshaw & Ferarrio to do legal work in the case of drafting a lease for facilities on their properties. Because their work is not related to land use, he felt it would not affect his opinion and would vote on the matter.

This is to be heard by the City Council on 4/19/2006

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 72 – SUP-11713

MINUTES:

NOTE: See Item 71 [SUP-11711] for all related discussion.

(11:57 – 12:16)

4-2426

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.06.080 for a project in the Airport Overlay District.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-11711), Site Development Plan Review (SDR-11705), and Vacation (VAC-11715).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. Clark County Department of Aviation approval is necessary prior to issuance of any building permits, with no change in flight patterns.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-11715 - VACATION RELATED TO SUP-1711 AND SUP-11713 - PUBLIC HEARING - APPLICANT/OWNER: GNLV CORPORATION, ET AL - Petition to Vacate a portion of First Street from Carson Avenue extending approximately 150 feet to the north, Ward 1 (Tarkanian).

SET DATE: 04/05/06

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – a letter of approval from the Federal Aviation Administration submitted by Attorney Chris Kaempfer for Item 71 – 74 filed under Item 71

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TROWBRIDGE excused

NOTE: COMMISSIONER STEINMAN disclosed that he is a member of the Board of Directors of Sun City Summerlin, which has hired the law firm Kummer Kaempfer Bonner Renshaw & Ferarrio to do legal work in the case of drafting a lease for facilities on their properties. Because their work is not related to land use, he felt it would not affect his opinion and would vote on the matter.

This is to be heard by the City Council on 4/19/2006

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 73 – SUP-11104

MINUTES:

NOTE: See Item 71 [SUP-11711] for all related discussion.

(11:57 – 12:16)

4-2426

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Church/House of Worship use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-11103).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-11705 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-11711, SUP-11713, AND VAC-11715 -- PUBLIC HEARING - APPLICANT/OWNER: GNLV CORPORATION, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 35-STORY, 116,094 SQUARE-FOOT HOTEL/CASINO EXPANSION AND 647 SPACE PARKING GARAGE WITH WAIVERS OF DOWNTOWN CENTENNIAL PLAN STREETScape DESIGN STANDARDS, STEP-BACK STANDARDS, AND WAIVERS TO ALLOW REFLECTIVE GLAZING AND ABOVE-GROUND UTILITIES on 5.83 acres at 129 East Fremont Street (APNs 139-34-210-032, 045; 139-34-11-039, 040 and 041), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – a letter of approval from the Federal Aviation Administration submitted by Attorney Chris Kaempfer for Item 71 – 74 filed under Item 71

MOTION:

DAVENPORT – APPROVED subject to conditions and amending Condition 2 as read for the record as follows:

- All development shall be in conformance with the site plan and building elevations, date stamped 3/8/06.
- Motion carried with DUNNAM voting NO and TROWBRIDGE excused

NOTE: COMMISSIONER STEINMAN disclosed that he is a member of the Board of Directors of Sun City Summerlin, which has hired the law firm Kummer Kaempfer

Bonner Renshaw & Ferarrio to do legal work in the case of drafting a lease for facilities on their

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 74 – SDR-11705

MOTION – Continued:

properties. Because their work is not related to land use, he felt it would not affect his opinion and would vote on the matter.

This is to be heard by the City Council on 4/19/2006

MINUTES:

NOTE: See Item 71 [SUP-11711] for all related discussion.

(11:57 – 12:16)

4-2426

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permits (SUP-11711) & (SUP-11713), and Vacation (VAC-11715).
 2. All development shall be in conformance with the site plan and building elevations, date stamped 3/8/6 except as amended by conditions herein.
 3. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
 4. A clear pedestrian pathway from Fremont Street to First Street shall be maintained at all times in order to conformance with condition 11 of VAC-8589.
 5. A revised elevation showing a more elaborate First Street entrance shall be submitted for review and approval by Planning & Development staff prior to the issuance of a C of O.
 6. The Waiver from the Downtown Centennial Plan building step-back requirement is hereby approved, based on the proposed façade articulation and height variation of the building elements.
 7. The Waiver from the Downtown Centennial Plan reflective or tinted glass requirement that does not exceed 15 percent reflectivity.
 8. The Waiver from the Downtown Centennial Plan streetscape requirement for a five-foot amenity zone is hereby approved, due to the constraints of the public right-of-way. All other streetscape elements shall conform to the Downtown Centennial Plan requirements, and shall match the Fourth Street improvements installed by the City of Las Vegas.
- .

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 74 – SDR-11705

CONDITIONS – Continued:

9. The Waiver from the Downtown Centennial Plan utility requirement for all utility and utility vaults to be placed underground from the nearest street to the project.
10. The Waiver from the Downtown Centennial Plan trash receptacle enclosure requirement
11. The landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
12. The applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
13. All mechanical equipment and air conditioners shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Petitions of Vacation VAC-8589 and VAC-11715 shall record prior to the issuance of any construction permits overlying or abutting the area(s) to be vacated.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City and Downtown Standards concurrent with development of this site. All new or proposed modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a unless otherwise allowed by the City Traffic Engineer.
17. Coordinate the sewer connection location with the Collection Systems Planning Section of the Department of Public Works prior to the submittal of a Tentative Map for this site.
18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 74 – SDR-11705

CONDITIONS – Continued:

recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. If the submitted Petition of Vacation VAC-11715 is not approved the Traffic Impact Analysis shall also include a section addressing how deliveries will be made to this site when more than one delivery vehicle arrives at the same time.

19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 74 – SDR-11705

CONDITIONS – Continued:

City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SNC-11661 - STREET NAME CHANGE - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION COMPANY - OWNER: TOWNE VISTAS, LLC - Request for a Street Name Change FROM: BATH DRIVE TO: ECHELON POINT DRIVE, between Grand Canyon Drive and Campbell Road, Ward 6 (Ross).

SET DATE: 04/05/06

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions and adding the following condition as read for the record:

- The applicant shall be required to provide Fire Department approval of the Street Name Change from: Bath Drive to: Echelon Point Drive, between Grand Canyon Drive and Campbell Road.
- Motion carried with EVANS and DUNNAM voting NO and TROWBRIDGE excused

NOTE: A previous motion for denial by DUNNAM failed with DAVENPORT, STEINMAN, TRUESDELL and GOYNES voting NO.

NOTE: COMMISSIONER STEINMAN disclosed that he is a member of the Board of Directors of Sun City Summerlin, which has hired the law firm Kummer Kaempfer Bonner Renshaw & Ferarrio to do legal work in the case of drafting a lease for facilities on their properties. Because their work is not related to land use, he felt it would not affect his opinion and would vote on the matter.

This is to be heard by the City Council on 4/19/2006

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 75 – SNC-11611

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained the request would affect less than 4,000 linear feet of Bath Drive between Grand Canyon Drive and Campbell Road. He did not recommend approval because renaming this portion of Bath Drive will result in multiple street names for the existing street and referenced a map to validate that concern. In addition, the name change would inconvenience an existing apartment complex and its residents, therefore, he recommended denial

ATTORNEY CHRIS KAEMPFER, 3800 Howard Hughes Parkway, acknowledged staff's concerns but referred to the lack of opposition from the Fire Department and neighbors. He confirmed that the applicant would assume all responsibility for fees associated with the street name change for the affected apartment complex and its dwellers. He stated that Bath Drive would not extend further east from where it currently lies, and all affected parties including the Fire Department are in support of the request.

COMMISSIONER DUNNAM disputed that the justification letter from the Fire Department is merely a letter informing of the fact that no other street name exists within the 9-1-1 call center in southern Nevada and therefore would not support the application. ATTORNEY KAEMPFER stated that he was misinformed and agreed with COMMISSIONER DUNNAM'S comments.

VICE CHAIRMAN EVANS opposed one street having several names and queried the degree of responsibility the applicant would put forth to assume all associated fees. ATTORNEY KAEMPFER assured the Commissioners that the applicant would satisfy any and all requests no matter how minute or massive the degree of responsibility becomes.

TOM McGOWAN, Las Vegas resident, appeared to support the request.

VICE CHAIRMAN EVANS suggested imposing a condition requiring approval from the Fire Department, and ATTORNEY KAEMPFER agreed.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(12:16 – 12:28)

4-3401

CONDITIONS:

Planning and Development

1. The applicant shall be responsible for all costs related to this Street Name Change including signage and installation.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-11583 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SUNWEST - OWNER: ANN ROAD PROPERTIES, LTD. - Request for a Site Development Plan Review FOR A PROPOSED 10,600 SQUARE FOOT DEVELOPMENT TO INCLUDE A CAR WASH AND RETAIL BUILDING WITH A WAIVER OF BUILDING PLACEMENT REQUIREMENTS on 1.14 acres at 7880 West Ann Road (APN 125-28-818-005), C-2 (General Commercial) Zone, Ward 6 (Ross).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESELLE – Motion to HOLD IN ABEYANCE Item 9 [RQR-11403], Item 32 [SDR-11497], Item 76 [SDR-11583], Item 77 [SDR-11676] and Item 80 [DIR-11779] to the 4/13/2006 Planning Commission Meeting; Item 57 [VAR-11943] and Item 58 [SUP-11589] to the 4/27/2006 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 22 [VAR-10781], Item 28 [VAR-11531], Item 48 [VAR-11727] and Item 66 [SUP-11708] – UNANIMOUS with TROWBRIDGE excused

MINUTES:

The applicant of Item 76 [SDR-11583] requested the item be held in abeyance to the 4/13/2006 Planning Commission meeting in order to redesign the project. Staff supported the request.

(6:02 – 6:25)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-11676 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: BELL REAL ESTATE, LLC - Request for a Site Development Plan Review FOR A PROPOSED 25,906 SQUARE FOOT AUTO REPAIR GARAGE (MAJOR), A 1,208-SPACE PARKING GARAGE AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STEPBACK REQUIREMENT on 1.77 acres at 2030, 2112, 2100, and 2114 Industrial Road (APNs 162-04-704-008; 162-04-802-001, 002, 003 and 004), M (Industrial) Zone, Ward 1 (Tarkanian).

C.C.: 04/19/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESEL – Motion to HOLD IN ABEYANCE Item 9 [RQR-11403], Item 32 [SDR-11497], Item 76 [SDR-11583], Item 77 [SDR-11676] and Item 80 [DIR-11779] to the 4/13/2006 Planning Commission Meeting; Item 57 [VAR-11943] and Item 58 [SUP-11589] to the 4/27/2006 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 22 [VAR-10781], Item 28 [VAR-11531], Item 48 [VAR-11727] and Item 66 [SUP-11708] – UNANIMOUS with TROWBRIDGE excused

MINUTES:

MR. LEOBOLD stated that the applicant of Item 77 [SDR-11676] has requested to abey the item to the 4/13/2006 Planning Commission meeting to allow time to redesign the project. Staff supported the request.

(6:02 – 6:25)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TXT-11778 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04, "Permissible Uses," and Title 19.20, "Definitions," to establish standards for Check Cashing Facilities.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommendation NONE.

BACKUP DOCUMENTATION:

1. Location Map - Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL – APPROVED subject to conditions and amending the following condition as read for the record:

1. Check Cashing Service. A business that provides a check cashing service as a supplemental service to a *primary business*. Check cashing is defined as any person engaged in the business of cashing of any payroll, government issued, third party or personal check for a fee, service charge or other consideration.

– UNANIMOUS with TROWBRIDGE excused

To be forwarded to the City Council in Ordinance Form

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

MARGO WHEELER, Director of Planning and Development, stated that the proposal is to add a definition of a Check-Cashing Service as a supplemental service. For example, if a store wished to cash checks for a charge, it would be a conditional use that could be approved administratively if all conditions were fulfilled. Approval would eliminate the need for a public hearing Special Use Permit.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 78 – TXT-11778

MINUTES – Continued:

COMMISSIONER DAVENPORT expressed the need to specify the definition of supplemental so that it does not allow payday loans. MS. WHEELER concurred and amended Condition 1 to include the verbiage “to a primary business.”

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(12:28 – 12:31)

5-243

CONDITIONS:

1. Amend Title 19.20 as follows:

Check Cashing Service. A business that provides a check cashing service as a supplemental service. Check cashing is defined as any person engaged in the business of cashing of any payroll, government issued, third party or personal check for a fee, service charge or other consideration.

2. Amend Title 19.04.010 as Follows:

The Land Use Table would add, Check Cashing, after Auto Title Loan under Permitted Uses.

<i>PERMITTED USES</i>	<i>COMMERCIAL</i>						<i>INDUSTRIAL</i>		
OFFICE & PROFESSIONAL	P- R	N-S	O	C-D	C-1	C-2	C- PB	C-M	M
Auto Title Loan*					S	S		C	C
Check Cashing Service			C	C	C	C	C	C	C
Clinic					P	P	P	P	P
Financial Institution, Specified*			S	S	S	S		C	C

3. Amend Title 19.04.040 as follows:

Check Cashing Service [O, C-D, C-1, C-2, C-PB, C-M, M]

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. Cash Advances, Pay Day loans, and post-dated checks are prohibited

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 78 – TXT-11778

CONDITIONS – Continued:

3. No exterior advertising of this service is permitted.
4. Check Cashing Service shall be supplemental to a primary business.
4. Amend the following Master Development Plans:
 - Downtown North Land Use Plan
 - Lone Mountain
 - West Lone Mountain
 - Grand Canyon Village
 - Town Center
 - Montecito
 - Cliff's Edge

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TXT-11780 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04, "Permissible Uses," and Title 19.20, "Definitions," to establish standards for Group Residential Care Facilities, Halfway Houses, and Transitional Living Facilities.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL – APPROVED subject to conditions – **UNANIMOUS** with **TROWBRIDGE** excused

This is to be heard by the City Council in Ordinance Form

MINUTES:

VICE CHAIRMAN EVANS declared the Public Hearing open.

MARGO WHEELER, Director of Planning and Development, explained that a multi-departmental group has been addressing this issue in order to bring the City of Las Vegas into compliance with NRS Chapter 278 with regard to the uses specified on Page Two of the staff report. A number of changes are proposed eliminating the existing definitions of “transitional living group home” and “halfway house” and replacing them with terms used in state law. It would require the distance separation of 1,500 feet, which is the maximum allowed by state law for similar uses and limiting occupants within the various establishments. She recommended approval.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 79 – TXT-11780

MINUTES – Continued:

COMMISSIONER STEINMAN requested clarification to Condition 4 that only 15 square feet is required for indoor common area and MS. WHEELER confirmed that 15 square feet is standard.

VICE CHAIRMAN EVANS declared the Public Hearing closed.

(12:31 – 12:34)

5-343

CONDITIONS:

1. Amend Title 19.04 by deleting the existing conditions of approval for a Group Residential Care Facility and replacing with the following:

**GROUP RESIDENTIAL CARE FACILITY [U, R-A, R-E, R-D, R-1, R-CL,
R-2, R-3, R-4, R-5]**

- *1. The facility must comply on an ongoing basis with all governmental licensing requirements. In the event that the appropriate State-licensing agency revokes or terminates an applicant's license, the business license issued by the City shall be deemed to be revoked as of the date of the license revocation or termination.
2. The facility must be located on a parcel with a minimum size of 6,500 square feet.
3. Off-street parking shall be provided on the basis of at least one space per five residents, plus an additional space for the administrator.
4. Indoor common area shall be provided on the basis of a minimum of 15 square feet per resident.
5. The group home shall not be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood.
6. No identification that is visible from a public street by signage, graphics, display, or other visual means shall be provided in conjunction with the facility.
7. A facility may not be located closer than 1500 feet (measured by means of the shortest distance from property line to property line) from another Group Residential Care Facility, a Facility for Transitional Living for Released Offenders Facility, or Halfway House for Recovering Alcohol and Drug Abusers except where there is a street, freeway, or drainage channel wider than 100 feet between the homes. The provisions of Section 19.04.040(B) do not apply to this Condition. However, a waiver of the distance limitation may be obtained from the

City Council, after a recommendation from the Planning Commission, as follows:

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 79 – TXT-11780

CONDITIONS – Continued:

- a. A public hearing must be conducted by both the Planning Commission and City Council, after notice of hearing has been provided as in the case of a Special Use Permit.
 - b. The applicant must demonstrate to the satisfaction of the City Council that approval of the waiver will not adversely affect the health and safety of the general public and/or the residents of the existing and proposed group homes
 - c. The location of the proposed group home in proximity to other group homes will not inhibit the integration of disabled persons into the community or neighborhood in question;
 - d. The proposed group home complies with condition 1.
 - e. The proposed group home complies with conditions 2 through 6 and condition 8 unless these conditions have been waived with approval of a special use permit; and
 - f. Approval of a waiver may be conditioned upon measures designed to ensure compatibility of the use.
8. The number of occupants within a group home shall not exceed the following occupancy standards (With respect to the occupancy standards listed in this part, adult means an individual eighteen years of age or older age): For the first bedroom, a maximum of two adults (With respect to the occupancy standards listed in this part, adult means an individual eighteen years of age or older age). In all cases, the largest bedroom will be considered the first bedroom. For each bedroom thereafter: Bedrooms less than 100 square feet in area, a maximum of one adult; Bedrooms 100 square feet in area or greater, a maximum of two adults. The City Council may consider increasing the occupancy standards for disabled adults with the approval of a special use permit. If an applicant seeks to waive this standard, the applicant shall demonstrate that:
- a. There will be adequate parking based on the number of occupants physically or mentally capable of operating an automobile as well as automobiles expected to be utilized by staff regularly managing or serving the occupants;

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 79 – TXT-11780

CONDITIONS – Continued:

- b. The number of occupants will not establish a use that is prohibited in the zoning district in which the proposed group home is to be located;
 - c. The facility is adequate to accommodate the number of residents requested, including but not limited to adequate bathroom and kitchen facilities and eating and sleeping areas.
- 10. Conditions 2 – 8 shall not apply to a Group Residential Care Facility that is at least 1500 feet from all of the following uses:
 - a. Another Group Residential Care Facility
 - b. A Facility for Transitional Living for Released Offenders,
 - c. A Halfway House for Recovering Alcohol and Drug Abusers
- 2. Amend Title 19.04 by deleting the existing conditions of approval for a Special Use Permit for a Transitional Living Group Home and replacing with the following conditions of approval for a Halfway House for Recovering Alcohol and Drug Abusers:

HALFWAY HOUSE FOR RECOVERING ALCOHOL AND DRUG ABUSERS [U, R-A, R-E, R-D, R-1, R-CL, R-2, R-3, R-4, R-5]

- *1. The facility must comply on an ongoing basis with all governmental licensing requirements. In the event that the appropriate State-licensing agency revokes or terminates an applicant's license, the business license or Special Use Permit issued by the City shall be deemed to be revoked as of the date of the license revocation or termination.
- *2. Clients of the facility must be actively and continuously enrolled in a rehabilitation program that is supervised by a licensed medical professional and/or recognized treatment program. The facility must prohibit the use of drugs or alcohol by clients while they reside in facility. Upon request, the facility operator shall produce evidence satisfactory to the Director of the Planning and Development Department that the clients are in compliance with this condition.
- 3. The facility must be located on a parcel with a minimum size of 6,500 square feet.
- 4. The facility must be located on a parcel within 1,500 feet of a bus stop.
- 5. Off-street parking shall be provided on the basis of at least one space per five residents, plus an additional space for the administrator.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 79 – TXT-11780

CONDITIONS – Continued:

6. Indoor common area shall be provided on the basis of a minimum of 15 square feet per resident.
7. The Halfway House for Recovering Alcohol and Drug Abusers shall not be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood.
8. **No identification that is visible from a public street by signage, graphics, display, or other visual means shall be provided in conjunction with the facility.**
9. A facility may not be located closer than 1500 feet (measured by means of the shortest distance from property line to property line) from another Halfway House for Recovering Alcohol and Drug Abusers, Facility for Transitional Living for Released Offenders, or Group Residential Care Facility or, except where there is a street, freeway, or drainage channel wider than 100 feet between the homes. The provisions of Section 19.04.040(B) do not apply to this Condition. However, a waiver of the distance limitation may be obtained from the City Council, after a recommendation from the Planning Commission, as follows:
 - a. A public hearing must be conducted by both the Planning Commission and City Council, after notice of hearing has been provided as in the case of a Special Use Permit.
 - b. The applicant must demonstrate to the satisfaction of the City Council that approval of the waiver will not adversely affect the health and safety of the general public and/or the residents of the existing and proposed Transitional Living Group Home.
 - c. The location of the proposed Facility for Transitional Living for Released Offenders in proximity to other group homes will not inhibit the integration of disabled persons into the community or neighborhood in question;
 - d. The proposed facility complies with conditions 1 and 2.
 - e. The proposed facility complies with conditions 3 through 8 and condition unless these conditions have been waived with approval of a special use permit; and

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 79 – TXT-11780

CONDITIONS – Continued:

- f. Approval of a waiver may be conditioned upon measures designed to ensure compatibility of the use.
- 10. The number of occupants within a Halfway House for Recovering Alcohol and Drug Abusers shall not exceed the following occupancy standards (With respect to the occupancy standards listed in this part, adult means an individual eighteen years of age or older age): For the first bedroom, a maximum of two adults. In all cases, the largest bedroom will be considered the first bedroom. For each bedroom thereafter: Bedrooms less than 100 square feet in area, a maximum of one adult; Bedrooms 100 square feet in area or greater, a maximum of two adults. (New condition)
- 11. Conditions 2 – 10 shall not apply to a Halfway House for Recovering Alcohol and Drug Abusers. that is at least 1500 feet from all of the following uses:
 - a. Another Halfway House for Recovering Alcohol and Drug Abusers.
 - b. A Facility for Transitional Living for Released Offenders,
 - c. A Group Residential Care Facility
- 3. Amend Title 19.04 by deleting the existing conditions of approval for a Special Use Permit for a Halfway House and replacing with the following conditions of approval for a Special Use Permit for a Facility for Transitional Living for Released Offenders:

FACILITY FOR TRANSITIONAL LIVING FOR RELEASED OFFENDERS

[R-3, R-4, R-5,]

- *1. The facility must comply on an ongoing basis with all governmental licensing requirements. In the event that the appropriate State-licensing agency revokes or terminates an applicant's license, the business license or Special Use Permit issued by the City shall be deemed to be revoked as of the date of the license revocation or termination.
- 2. The facility must be located on a parcel with a minimum size of 6,500 square feet.
- 3. The facility must be located on a parcel within 1,500 feet of a bus stop.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 79 – TXT-11780

CONDITIONS – Continued:

4. Off-street parking shall be provided on the basis of at least one space per five residents, plus an additional space for the administrator.
 5. Indoor common area shall be provided on the basis of a minimum of 15 square feet per resident.
 6. The Facility for Transitional Living for Released Offenders shall not be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood.
 7. No identification that is visible from a public street by signage, graphics, display, or other visual means shall be provided in conjunction with the facility.
 8. A facility may not be located closer than 1500 feet (measured by means of the shortest distance from property line to property line) from another Facility for Transitional Living for Released Offenders, Group Residential Care Facility, Halfway House for Recovering Alcohol and Drug Abusers, church, synagogue, school, child care facility licensed for more than 12 children, or City park
 9. The number of occupants within a Facility for Transitional Living for Released Offenders shall not exceed the following occupancy standards (With respect to the occupancy standards listed in this part, adult means an individual eighteen years of age or older age): For the first bedroom, a maximum of two adults. In all cases, the largest bedroom will be considered the first bedroom. For each bedroom thereafter: Bedrooms less than 100 square feet in area, a maximum of one adult; Bedrooms 100 square feet in area or greater, a maximum of two adults.
-
4. Amend Table 2, Land Use Tables found in Title 19.04.010 by deleting Halfway House and Transitional Living Group Home.
 5. Amend Table 2, Land Use Tables found in Title 19.04.010 by adding Halfway House for Recovering Alcohol and Drug Abusers after Guest House:

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 79 – TXT-11780

CONDITIONS – Continued:

<i>PERMITTED USES</i>	<i>Residential</i>											
RESIDENTIAL & LODGING	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP
Halfway House For Recovering Alcohol and Drug Abusers	C	C	C	C	C	C	C	C	C	C		

6. Amend Table 2, Land Use Tables found in Title 19.04.010 by adding Facility for Transitional Living for Released Offenders after Emergency Ambulance Services, Ground:

<i>PERMITTED USES</i>	<i>Residential</i>											
INSTITUTIONAL & COMMUNITY SERVICE	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP
Facility for Transitional Living for Released Offenders								S	S	S		

7. Amend Title 19.20, by deleting the following definitions: Group Care Residential Facility, Halfway House and Transitional Living Group Home.
8. Amend Title 19.20, by adding the following definitions:

Group Residential Care Facility: A dwelling unit of a residential character which is used or intended to be used to provide long-term housing and care for up to 10 persons with certain physical, mental, emotional or social problems and living together for the purpose of training, observation, and/or common support. The term does not include an individual residential care facility, a facility for transitional living for released offenders, a halfway house for recovering alcohol and drug abusers, a convalescent care facility/nursing home, or any facility which:

1. Provides surgical, medical, psychiatric or other specialized treatment on a regular basis;
2. Provides housing, care or treatment to persons whose occupancy would constitute a direct threat to the health or safety of other individuals or their property.

PLANNING COMMISSION MEETING OF MARCH 23, 2006
Planning and Development Department
Item 79 – TXT-11780

CONDITIONS – Continued:

Facility for Transitional Living for Released Offenders: A dwelling unit of a residential character that provides housing and a living environment for up to six persons who have been released from prison and who require assistance with reintegration into the community, other than such a residence that is operated or maintained by a state or local government or an agency thereof. The term does not include a facility for the treatment of abuse of alcohol or drugs. As used in this section, “person who has been released from prison” means:

- (a) A parolee.
- (b) A person who is participating in:
 - (1) A judicial program pursuant to NRS 209.4886 or 213.625;or
 - (2) A correctional program pursuant to NRS 209.4888 or 213.632
- (c) A person who is supervised by the Division of Parole and Probation of the Department of Public Safety through residential confinement pursuant to NRS 213.371 to 213.410, inclusive.

Halfway House for Recovering Alcohol and Drug Abusers: Halfway House for Recovering Alcohol and Drug Abusers means a dwelling unit of a residential character that provides housing and a living environment for up to six recovering alcohol and drug abusers, who are receiving substance abuse treatment in an outpatient program, and is operated to facilitate their reintegration into the community, but does not provide any on-site treatment for alcohol or drug abuse. The term does not include a facility for transitional living for released offenders. As used in this section, “released offender” means:

- (a) A parolee.
- (b) A person who is participating in:
 - (1) A judicial program pursuant to NRS 209.4886 or 213.625;or
 - (2) A correctional program pursuant to NRS 209.4888 or 213.632
- (c) A person who is supervised by the Division of Parole and Probation of the Department of Public Safety through residential confinement pursuant to NRS 213.371 to 213.410, inclusive.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

DIR-11779 - APPEAL OF DIRECTOR'S DECISION - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC - Appeal of the Director's decision to deny a Temporary Commercial Permit per Title 19.18.100.D THAT WOULD ALLOW A TEMPORARY CONTRACTOR'S CONSTRUCTION YARD on 15.54 acres adjacent to the north side of Bonanza Road, approximately 460 feet east of Clarkway Drive (APNs 139-28-302-013, 021, 022, 023 and 033), R-E (Residence Estates) and R-3 (Medium Density Residential) Zones, Ward 5 (Weekly).

IF APPROVED: C.C.: 04/19/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESEL - Motion to HOLD IN ABEYANCE Item 9 [RQR-11403], Item 32 [SDR-11497], Item 76 [SDR-11583], Item 77 [SDR-11676] and Item 80 [DIR-11779] to the 4/13/2006 Planning Commission Meeting; Item 57 [VAR-11943] and Item 58 [SUP-11589] to the 4/27/2006 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 22 [VAR-10781], Item 28 [VAR-11531], Item 48 [VAR-11727] and Item 66 [SUP-11708] – UNANIMOUS with TROWBRIDGE excused

MINUTES:

MR. LEOBOLD announced that the applicant for Item 80 [DIR-1179] is hosting a meeting and would like the item to be held in abeyance to the 4/13/2006 Planning Commission meeting. In his letter of request, he noted that the upcoming meeting would be held on Monday, March 27, 2006 but would be held Friday, March 24, 2006 instead. Staff supported the abeyance request.

(6:02 – 6:25)



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MARCH 23, 2006

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

TOM McGOWAN, Las Vegas resident, appeared and submitted his public comments for the record.

(12:34 – 12:37)

5-440

MEETING ADJOURNED AT 12:37 A.M.

Respectfully submitted:

YDOLEENA YTURRALDE, DEPUTY CITY CLERK

CARMEL VIADO, DEPUTY CITY CLERK